

2023:PHHC:128632

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

210

CRM-M-43607-2023
Date of decision : 03.10.2023

Karaj Singh

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Lovish Arora, Advocate
for the petitioner.

Mr. Amit Shukla, AAG, Punjab.

PANKAJ JAIN, J. (Oral)

1. While issuing notice of motion, following order was passed:-

“*Inter-alia* submits that FIR was ordered to be quashed in the order passed by this Court in CRM-M No.48403 of 2018 taking cognizance of compromise dated 26.10.2018 subject to the accused depositing Rs.10,000/- costs. Admittedly, the said amount was not earlier deposited. The JMIC took cognizance thereof and summoned the petitioner alongwith co-accused through non-bailable warrants issued vide impugned order dated 25.05.2023 (Annexure P-2). Now the present petition has been filed at the behest of one of those accused namely Karaj Singh who claimed to have deposited the said amount *qua* all accused including petitioner i.e. total Rs.30,000/-. Reliance is being placed on receipt (Annexure P-3) dated 26.05.2023.

Notice of motion.

On asking of the Court, Mr. Tarun Aggarwal, Sr. DAG, Punjab appears and accepts notice on behalf of the respondent/State.

Adjourned to 03.10.2023.

In the meantime, execution of non-bailable warrants *qua* petitioner shall remain stayed subject to the petitioner appearing before the concerned Court on or before 12.09.2023 and producing the said receipt before it.”

2. Today, Mr. Arora produced order dated 12.09.2023 passed by JMIC, Moga which reads as under:-

“Application has been filed today for placing on record the receipt of fine deposited by applicant Karaj Singh and for recalling the non-bailable warrants of accused as per order dated 04.09.2023 paid by the Hon'ble High Court in CRM-M-43607 of 2023.

On this, Ahlmad of the Court has also put-up application file along with copy of order dated 04.09.2023 passed by the Hon'ble Punjab & Haryana High Court, Chandigarh in CRM-M-43607-2023. Perusal of the said order reveals that matter has been adjourned before the Hon'ble High Court for 03.10.2023 and it is ordered that in the meantime, execution of non-bailable warrants *qua* petitioner i.e. accused Karaj Singh shall remain stayed subject to the petitioner appearing before the concerned Court on or before 12.09.2023 and producing the receipt of paid cost before it.

Rashpal Singh i.e. attorney of accused Karaj Singh appeared and suffered a statement whereby, he produced on record copy of receipt No.125 dated 26.05.2023 of Rs.30,000/-, in compliance of the afore-referred order of the Hon'ble High Court.

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Vide order dated 25.05.2023, non-bailable warrants of arrest were ordered to be issued against all the accused persons. In compliance of the order dated 04.09.2023 passed by the Hon’ble High Court, Ahlmad is directed to recall the non-bailable warrants of arrest already issued against the accused persons.

To come up on 10.10.2023 for awaiting further orders of the Hon’ble High Court. Papers be attached with the corresponding application.”

- 3. The abovesaid order dated 12.09.2023 is taken on record as mark ‘X’. Registry is directed to tag the same at appropriate place.
- 4. In view of above, this Court is satisfied that the petitioner has complied with the order passed by this Court and JMIC, Moga observed the same and directed for recalling of the non-bailable warrants of arrest issued against the petitioner.
- 5. Resultantly, the present petition is disposed off as having been rendered infructuous.

(PANKAJ JAIN)
JUDGE

03.10.2023
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No