

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-55328-2022(O&M)

Date of Decision:-18.12.2023

Pardeep Singh.

.....Petitioner.

Versus

State of Punjab & Anr.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Rajiv Joshi, Advocate for the Petitioner.

Mr. Mohit Kumar, AAG Punjab.

JASJIT SINGH BEDI, J. (ORAL)

The prayer in the petition under Section 482 Cr.PC is for quashing of the order dated 22.09.2009 (Annexure P-3) passed by JMIC, Phillaur declaring the petitioner a proclaimed offender in FIR No.38 dated 23.04.2004 under Sections 323, 324, 326, 34 IPC Police Station Bilga, District Jalandhar.

On 30.11.2022 the following order was passed:-

“ *Learned counsel for the petitioner inter alia contends that as per the proclamation dated 13.03.2009, the petitioner was required to appear on 07.05.2009 but the case was never taken up on 07.05.2009 and was taken up on 08.05.2009. It is further submitted that in the present case, there were two other accused who were tried and were acquitted by the Sub Divisional Judicial Magistrate, Phillaur vide judgment dated 15.03.2010 as the star witnesses of the prosecution i.e. PW2, PW3 and PW4 had not supported the prosecution version. It is*

contended that the petitioner was also under the impression that the matter has been compromised and finally settled and had thus, stopped appearing but now submits that the petitioner is ready to appear before the trial Court within a period of one month from today and has further submitted that the petitioner in order to show his bona fide, is ready to deposit an amount of Rs.50,000/- with the trial Court within the aforesaid period and has no objection in case the said amount is released to the complainant by the trial Court, without admitting his liability.

Notice of motion for 10.01.2023.

In the meantime, the operation of the order dated 22.09.2009 (Annexure P-3) is stayed subject to the petitioner appearing before the trial Court within a period of one month from today and on his appearance, the trial Court is directed to release the petitioner on bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial Court. The same would also be subject to the petitioner depositing an amount of Rs.50,000/- within the stipulated time with the trial Court, which would be paid to the complainant by the trial Court and would also be subject to the petitioner giving an undertaking to the trial Court that he would appear before the trial Court on each and every date unless his appearance is specifically exempted by the Court.

It is made clear, that in case, the abovesaid conditions are not complied with within the aforesaid period, then the present interim relief granted in favour of the petitioner would be liable to be vacated.

The payment of the amount of Rs.50,000/- would not be construed as an admission of guilt by the petitioner.”

Thereafter on 23.03.2023 the following order was passed:-

“ CRM-12019-2023

Allowed as prayed for.

CRM stands disposed of.

CRM-12020-2023

After hearing learned counsel for the applicant-petitioner

and going through the contents of the application, the applicant-petitioner is granted 15 days from today to put in appearance before the trial court in terms of the order of this Court dated 30.11.2022.

CRM stands disposed of.”

In deference to the aforementioned orders the petitioner has surrendered and was admitted to bail. On conclusion of the Trial he stands acquitted vide judgment dated 03.08.2023.

In view of the above, no further orders are required to be passed by this Court.

Disposed of.

(JASJIT SINGH BEDI)
JUDGE

December 19, 2023

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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>