

CRM-M-55897-2023
Date of decision: 06.11.2023

Talib @ Taleeb HussainPetitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Imran Farooqi, Advocate
for the petitioner.

Ms. Navreet Kaur Barwala, AAG, Punjab.

HARPREET SINGH BRAR, J.

The present petition has been filed under Section 482 Cr.P.C. seeking quashing of impugned order dated 19.09.2023 (Annexure P-3) passed by the learned JMFC, Malerkotla, in a case bearing FIR No.127 dated 10.06.2020 for the offence under Sections 4A/4B/8 of Punjab Prohibition of Cow Slaughter Act, 1955 and Section 11 of the Prevention of Cruelty to the Animal Act, 1960 registered at Police Station Amargarh, District Sangrur (Annexure P-1).

Learned counsel for the petitioner *inter alia* contends that the petitioner was granted bail by the trial Court, thereafter, the challan was presented in this case on 07.02.2022 and the case was fixed for 08.03.2022. On 08.03.2022, 06.05.2022, 20.07.2022, 27.09.2022 & 11.11.2022, the petitioner had filed applications for exemption of his personal appearance which was allowed by the trial Court. On 05.05.2023, the petitioner was ordered to be summoned through non-bailable warrants of arrest for 02.06.2023. On 11.07.2023, proclamation warrants of the petitioner was ordered to be issued for 23.08.2023 and further the case was adjourned for 19.09.2023. On 19.09.2023, the petitioner was declared proclaimed person. Copy of the impugned order dated 19.09.2023 is appended with the petition as Annexure P-3.

Learned counsel for the petitioner further contends that the petitioner is ready and willing to submit himself to the jurisdiction of the learned trial Court and face the trial. The offence in which the FIR is registered is bail

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able.

Notice of motion.

Ms. Navreet Kaur Barwala, AAG, Punjab puts in appearance on receipt of advance notice of the present petition.

The sole purpose of issuance of non-bailable warrants or issuance of proclamation is to secure the presence of the accused before the trial Court. The petitioner in the present case has himself came forward and has undertaken to appear before the learned trial Court on each and every date.

Accordingly, the present petition is allowed. The impugned order dated 19.09.2023 vide which the petitioner was declared proclaimed person is set aside. The petitioner is directed to appear before the learned trial Court on or before 14.11.2023 and on his doing so, the learned trial Court shall admit him to the bail on his furnishing fresh bail bonds/surety bonds along with Rs.10,000/- as costs, for wasting the precious time of the Court to be deposited with the District Legal Services Authority, Sangrur.

Disposed off in above terms.

(HARPREET SINGH BRAR)
JUDGE

06.11.2023

Neha

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No