

CRWP-55256-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(121)

CRM-M-55256-2023
Date of Decision:-07.11.2023

Karandeep Singh @ Karam
.....Petitioner

Versus

State of Punjab
.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Malkiat S. Hundal, Advocate for the petitioner.
Mr. Siddharth Attri, AAG, Punjab.

ALOK JAIN, J. (Oral)

1. Learned counsel for the petitioner submits that vide subsequent orders dated 20.09.2023, 04.10.2023, 18.10.2023 and 31.10.2023, the proceedings for declaring the petitioner as proclaimed person have been initiated and now the matter is fixed for 05.12.2023.
2. Learned counsel for the petitioner fairly submits that the petitioner is ready to join the proceedings and his absence on 06.09.2023 was purely on medical grounds, though he could not demonstrate any application filed by the petitioner for exemption on the said ground.
3. He further submits that subsequently he could not appear because of proclamation proceedings initiated against him, though they have yet not culminated.
4. *Per contra*, learned State counsel has vehemently opposed any concession to the petitioner, as there are seven other cases pending against the petitioner out of which in one case, he has already undergone imprisonment and the petitioner is a habitual offender.

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5. Heard learned counsel for the parties at length and perused the record.

6. The FIR in the present case was lodged on 08.01.2022 and the trial is pending for more than 1 year 10 months and primarily the dispute is with regard to theft of certain sugar bags. The non-appearance of the petitioner would by all means only procrastinate the proceedings and the trial would not proceed. Therefore, after considering the matter and going through the pleadings and appreciation of arguments raised by learned counsel for the petitioner, the ends of justice would be met if the order dated 06.09.2023 is set aside *qua* the petitioner subject to some cost.

7. In light of the above the present petition stands disposed of and the order dated 06.09.2023 is set aside and the petitioner is directed to surrender before the Court below on or before 21.11.2023 and shall be released on furnishing fresh bail bonds/surety bonds to the satisfaction of the Additional Chief Judicial Magistrate, Tarn Taran.

8. The Additional Chief Judicial Magistrate, Tarn Taran shall impose at least double the amount of bail bonds which was filed by the petitioner earlier.

9. The petitioner shall also pay a cost of Rs. 5,000/- and shall produce the receipt of the same before the trial Court at the time of surrender. The cost shall be deposited within 15 days from today in the following account:-

Account Name – Punjab and Haryana High Court Bar Association Lawyer's Family Welfare Fund.

Account No. - 41564846387

Bank Name – SBI High Court Branch.

**(ALOK JAIN)
JUDGE**

November 07, 2023

Parul

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No