

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

CRM-M-2711-2023

Date of Decision:-13.07.2023

Baljinder Singh @ Rajinder Singh.

.....Petitioner.

Versus

State of Punjab & Ors.

.....Respondents.

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

Present:- Mr. Tejinder Pal Singh, Advocate for the Petitioner.

Mr. Harkanwar Jeet Singh, AAG Punjab.

Mr. Navraj Singh, Advocate for respondent no.2.

Mr. Balbir Singh, Advocate for respondent no.3.

JASJIT SINGH BEDI, J. (ORAL)

The prayer in the petition under Section 482 Cr.PC is for quashing of FIR No.82 dated 22.11.2013 under Sections 406, 420, 120-B IPC registered at P.S. City Banga, District SBS Nagar along with all subsequent proceedings arising out of the same including the order dated 20.10.2014 (Annexure P-2) whereby the petitioner was declared as proclaimed offender.

On 22.02.2023 the following order was passed:-

“ *The prayer in the present petition is for quashing of FIR No.82 dated 22.11.2013 under Sections 406, 420, 120-B IPC P.S. City Banga, District SBS Nagar along with all subsequent proceedings arising on the basis of the same, including the order dated 20.10.2014 (Annexue P-2) whereby the petitioner*

was declared as proclaimed offender.

The Counsel for the petitioner contends that after facing trial, two of the accused came to be acquitted whereas one of the accused passed away. It is his contention that he was wrongly declared as proclaimed offender and in fact he was never properly served. He states that petitioner is ready and willing to join proceedings once again.

Notice of motion for 15.03.2023.

In the meanwhile, the petitioner is directed to surrender before the Trial Court within a period of one week from today and subject to his depositing Rs.1,00,000/- as costs with Senior Citizen Home, Udyog Path, Sector 15-D, Chandigarh and the deposit of his passport before the Trial Court, he shall be admitted to interim bail to the satisfaction of the Trial Court.

To be shown in the urgent list.”

The Counsel for the petitioner contends that the petitioner has complied with the aforementioned order. Even otherwise, the co-accused of the petitioner have been acquitted vide judgment Annexure P-3. He therefore prays that directions be issued to the Trial Court to conclude the Trial expeditiously.

The Counsel for the respondents have not denied the factual aspect of the petitioner having complied with the order as also the fact that the co-accused has been acquitted.

I have heard learned Counsel for the parties.

Admittedly, the present petitioner has surrendered in compliance with the order dated 22.02.2023 and as such the order vide which he was declared a proclaimed offender (Annexure P-2) ceases to exist. Further the co-accused of the petitioner already stands acquitted vide judgment dated 13.12.2018 (Annexure P-3).

In view of the above, no further orders are required to be passed

by this Court.

However, it is expected that the petitioner shall keep on appearing before the Trial Court and shall not absent himself from the proceedings without any sufficient cause.

The Trial Court is however directed to conclude the Trial qua the petitioner as expeditiously as possible but in any case not later than 03 months from the next date fixed before it.

(JASJIT SINGH BEDI)
JUDGE

July 13, 2023
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>