

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

121

CRM-M-60381-2023

Date of decision: 01.12.2023

Atul Sharma

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Brijeshwar Singh Bhalla, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking setting aside of order dated 12.01.2022 (Annexure P-11) passed by learned CJM, Moga, whereby he was declared a proclaimed person in case FIR No.180 dated 24.07.2019 under Sections 427, 447, 511, 148, 149 of the IPC registered at Police Station City Moga, District Moga.

2. Learned counsel for the petitioner inter alia contends that it was a matter of record that he was not a resident of Sunny Enclave but had been all along residing in Uttarakhand, hence, he was unaware about the criminal proceedings which had been instituted against him. Learned counsel further submits that the petitioner is willing and ready to appear, and surrender before the Trial Court. Hence, in the aforementioned facts and circumstances, the petitioner be protected till his appearance before the Trial Court and with directions to the Trial Court that his bail application, which he would be filing on his surrender, be decided expeditiously.

3. Notice of motion.

4. On asking of the Court, Mr. Sandeep Kumar, DAG Punjab, accepts notice on behalf of respondent-State.

5. In view of the limited prayer made by the learned counsel for the petitioner, the instant petition is disposed of with directions to the petitioner to appear and surrender before the Trial Court within 07 days from today. Till then, no coercive steps be taken against the petitioner.

6. It is made clear that in case, the petitioner fails to surrender before the Trial Court within 07 days from today, this order shall be of no avail to him, thereafter. In case, on appearance and surrender, the petitioner moves an application for bail before the Trial Court, the same shall be decided expeditiously, by the Trial Court, in accordance with law.

01.12.2023

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(MANJARI NEHRU KAUL)

JUDGE

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