

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1924-2024
DECIDED ON: 25.04.2024

JAI BHARAT AGGARWAL
.....PETITIONER
VERSUS
STATE OF PUNJAB AND ANOTHER
.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Rakesh Bhatia, Advocate
for the petitioner.

Mr. Jaspal Singh Guru, AAG, Punjab.

Mr. Davinder Singh, Advocate for
Mr. Aayush Gupta, Advocate
for respondent No.2.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court under Section 482 Cr.P.C. has been invoked seeking setting aside of the impugned order dated 03.12.2022 (Annexure P-7) passed by Judicial Magistrate Ist Class, Ludhiana vide which the petitioner was declared as proclaimed person in FIR No. 151, dated 13.08.2019, under Sections 406, 420 and 120-B IPC (Annexure P-1) registered at Police Station Dakha, Ludhiana.
2. It has been contended by learned counsel for the petitioner that on account of communication gap between the petitioner and his counsel representing him before the trial Court, he could not appear on the date fixed before the trial Court. He further contends that during the pendency of this petition, parties have resolved their dispute amicably and the afore-said FIR has already been quashed qua the other accused persons by this Court vide order dated 16.11.2023 passed in

CRM-M-59632-2022 (Annexure P-5). Moreover, in the present case challan has not yet been presented against the petitioner, who is ready and willing to surrender.

3. In view of above, this Court is fully convinced that no fruitful purpose would be served by continuing the proceedings where chances of ultimate conviction are bleak. Accordingly, the order dated 03.12.2022 (Annexure P-7) is set aside and the petitioner is directed to surrender before the Investigating Officer within a period of 10 days from today, who shall release him on bail subject to his/her satisfaction.

4. In view of the discussions made hereinabove, the present petition is allowed.

(SANDEEP MOUDGIL)
JUDGE

25.04.2024

Sham

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