

S. No.132

2024:PHHC:004654

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-2161 of 2024

Date of Decision:15.01.2024

Gurjant Singh

.....Petitioner

Vs.

State of Punjab and another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Akshay Chadha, Advocate for the petitioner.

DEEPAK GUPTA, J. (Oral)

By way of present petition filed under Section 482 Cr.P.C., petitioner prays for quashing of order dated 19.12.2023 (Annexure P.4) issuing non-bailable warrants against the petitioner in case FIR No.111 dated 03.05.2017 registered under Sections 341, 323, 506, 294, 379-B IPC at Police Station Dakha, Ludhiana Rural.

Learned counsel for the petitioner contends that FIR was lodged wayback in May, 2017. During investigation, petitioner was found innocent. Challan was filed only against co-accused Harsukhpreet Singh. Petitioner then left for Australia to pursue his career on 05.08.2019. Later on, vide order dated 31.05.2023, petitioner along with other co-accused have been summoned by the Court of learned Judicial Magistrate Ist Class, Ludhiana on an application under Section 319 Cr.P.C to face trial as an additional accused. Since the petitioner was in Australia, so, summons could not be issued upon him. Warrants of arrest were issued. Petitioner was apprehending that on his coming from Australia on 12.01.2024, he may be arrested. Learned counsel further contends that after filing of this petition, petitioner has since come to India but he is apprehending arrest on account of warrants of arrest having been issued against him.

Notice of motion to respondent only.

Mr. Amit Rana, Sr. DAG, Punjab, accepts notice on behalf of the respondent- State.

This petition is hereby disposed of with direction to the petitioner to surrender before the trial Court concerned within 15 days i.e. on or before 30.01.2024. On his such surrender, the trial Court shall admit the petitioner on bail on his furnishing adequate bonds. If, in the meantime, due to warrants of arrest having been issued against him, he is sought to be arrested, he shall be admitted to interim bail to the satisfaction of the Arresting Officer.

January 15, 2024
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No