

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.10748 of 2024

Date of decision: 1st March, 2024

Mandeep Kumar

... Petitioner

Versus

State of Punjab & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Rishu Mahajan, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking quashing of order dated 11.01.2019 (Annexure P-3) passed by the learned trial Court vide which he was declared a proclaimed person in complaint case No.COMI 155 dated 27.04.2016 under Sections 325, 326, 365, 452, 511, 148, 149 of the IPC pertaining to District Jalandhar.

2. Learned counsel for the petitioner submits that the petitioner was unable to put in an appearance on account of the fact that he was abroad since the year 2017 and came back to India only recently, i.e. on 17.02.2024. He submits that it was thus, for a genuine reason that the petitioner was unable to put in an appearance before the Court. Learned counsel further submits that the petitioner is ready to appear and join proceedings before the Court below. Hence, in the aforementioned facts and circumstances, the petitioner be protected till his appearance before

the trial Court and the Court concerned be directed that his application, which he would be filing on his surrender, be decided expeditiously.

3. Notice of motion.

4. Mr. Navdeep Singh, Dy. Advocate General, Punjab who is present in Court, accepts notice on behalf of the State.

5. I have heard learned counsel for the parties and perused the relevant material on record.

6. In view of the limited prayer made by learned counsel representing the petitioner, the petition is disposed of with direction to the petitioner to appear and surrender before the trial Court within seven days from today, subject to payment of costs in the sum of ₹ 10,000/- which shall be deposited with the District Legal Services Authority, Faridabad. Till then, no coercive steps shall be taken against the petitioner.

7. However, it is made clear that in case the petitioner fails to surrender before the Court concerned within the above stipulated time period, 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 Court below, the same shall be decided by the Court expeditiously, preferably within two days, in accordance with law.

(MANJARI NEHRU KAUL)
JUDGE

March 1, 2024
rps

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