

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-13061-2024
DECIDED ON: 14.03.2024

HARPREET SINGH ALIAS HAPPY
.....PETITIONER

VERSUS

STATE OF PUNJAB
.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Ashok Giri, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court has been invoked under Section 482 Cr.P.C., for setting aside/quashing the impugned order dated 02.01.2024 (Annexure P-1) vide which the petitioner has been declared proclaimed person in FIR No.207 dated 06.07.2020, under Section 379-B of IPC, 1860 registered at Police Station Phillaur, District Jalandhar Rural.
2. Learned counsel for the petitioner submits that the petitioner had been regularly appearing before the Court, but during the course of such proceedings itself, the police started nominating him every now and then in snatching cases, the details of which has been given in para 10 of the petition, which reads as under:-

“(1) FIR No.161 dt.22.8.2016 U/s 379-B\411\201 IPC,PS City Kharar, Distt. SAS Nagar Mohali---The petitioner is on bail pending trial vide order dated 4.1.2017.

(2) FIR No.87 dt.27.8.2016 U/s 379-B\465 IPC,PS Phase-2, SAS Nagar Mohali---The petitioner is on bail pending trial vide order dated 7.6.2018.

- (3) *FIR No.130 dt.31.7.2020 U\s 379-B\34 IPC,PS Phase-1, SAS Nagar Mohali---The petitioner is on bail pending trial vide order dated 9.11.2020.*
- (4) *FIR No.107 dt.19.8.2016 U\s 379-B\411\201 IPC,PS Mataur, Distt. SAS Nagar Mohali---The petitioner is on bail pending trial.*
- (5) *FIR No.283 dt.17.5.2022 U\s 379-B\120-B IPC,PS Pinjore, Distt. Panchkula---The petitioner is on bail pending trial.*
- (6) *FIR No.109\2016 U\s 420\465\467\468\471\411 IPC,PS Mataur, Distt. SAS Nagar Mohali---The petitioner is on bail pending trial vide order dated 09.08.2022.*
- (7) *FIR No.101, dated 27.07.2020 u/s 379-A/356 of IPC, PS West, Sector-11, Chandigarh, the petitioner is on bail pending trial vide order dated 17.07.2021.”*

3. It is also asserted on behalf of the petitioner that the petitioner is 25 years of age, who is suffering from lung infection, Tuberculosis and Hepatitis-C and in support of the same refer to the medical record attached at Annexure P-4 to the present petition.

4. Learned counsel for the petitioner undertakes before the Court that the petitioner is ready and willing to surrender before the Court.

5. In view of the assurance given on behalf of the petitioner before this Court that his surrender would only facilitate the furtherance of trial taking it to a logical end instead of delaying in it, this Court would deem it appropriate to exercise its power under Section 482 Cr.P.C., and directs the petitioner to surrender before the trial Court within a period of one week from today.

6. In case, the petitioner surrenders before the trial Court within a period of one week from today and files an application for bail, the same shall be considered on that very day itself in accordance with law.

7. However, the aforesaid order/concession to the petitioner shall be subject to payment of Rs.15,000/- as costs to be deposited with the Punjab and Haryana High Court Bar Association, Chandigarh (Account No.65035682434, IFSC Code SBIN0050306) and a receipt of the same be produced before the Trial Court and only in that eventuality application of the petitioner seeking bail be considered by the Trial Court.

The present petition in the aforesaid terms stands disposed off.

(SANDEEP MOUDGIL)
JUDGE

14.03.2024

Meenu

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