



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

**CRM-M-13546-2024
DECIDED ON:10.12.2024**

BALJINDER SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Hitesh Ghai, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court under Section 482 Cr.P.C. has been invoked seeking quashing of impugned order dated 21.08.2010 passed by Judicial Magistrate Ist Class, Jagraon vide which the petitioner has been declared as proclaimed offender in a case FIR No. 410, dated 08.12.2004, under Sections 341, 323, 506 and 34 IPC, registered at Police Station Sadar Jagraon and all subsequent proceedings under Section 174-A IPC against the petitioner.

2. Learned counsel for the petitioner submits that due to non-appearance of the petitioner before the trial, he has been declared proclaimed offender vide order dated 21.08.2010 passed by Judicial Magistrate Ist Class, Jagraon, and a direction has been issued to the concerned police station for taking necessary action 174-A IPC. He further submits that the absence of the petitioner is neither intentional nor deliberate, but due to inadvertent error and circumstances, which were beyond his control.

3. He undertakes before this Court that the petitioner is ready and willing to surrender before the trial Court.

4. Be that as it may, without going further into the technicalities and the legality of the order, once the petitioner is ready and willing to join the trial proceedings, as has been undertaken before this Court, this Court deem it appropriate to dispose of the petition at this stage itself.

5. The petitioner shall surrender before the trial Court within a period of 10 days from today and in case, he moves an application for regular bail on that day or any other subsequent date, same may be considered and decided in accordance with law preferably on that very day itself.

6. However, this Court is also sanguine of the fact that due to absence may be on account of the reasons, as has been detailed in the petition and submitted before this Court during the course of hearing, the fact remains that trial has been delayed.

7. As a penalty for causing delay in the trial proceedings, the petitioner is penalized with a cost of Rs.10,000/-. The cost shall be deposited with the Chandi Kusht Asshram Society, (account No.1445265900) (IFSC Code KKBK0004211), Kotak Mahindra Bank, Sector 46-C Chandigarh.

8. A copy of receipt qua the deposit of such cost shall be furnished before the trial Court at the time of surrender.

9. The petition stands disposed off, in the aforesaid terms.

(SANDEEP MOUDGIL)
vJUDGE

10.12.2024

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Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No