



CRM-M-18047-2024

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

CRM-M-18047-2024 (O&M)

Date of Decision: 20.11.2024

Santokh Singh @ Doctor

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr.Nikhil Kumar, Advocate, for the petitioner.

Rajesh Bhardwaj, J. (ORAL)**CRM-45317-2024**

For the reasons mentioned in the application, the same is allowed. Date of hearing in the main case is pre-poned to today itself. Main case is taken up on board for hearing.

Main case

1. Prayer in the present petition is for quashing of the order dated 14.09.2001 (Annexure P-2) passed by learned JMIC, Phillaur in case titled as State vs. Dara Singh, in CHI/101/2001, whereby, the petitioner has been declared as a proclaimed offender without following the due process of law in FIR No.219 dated 27.11.2000, under Sections 342, 427, 506, 148, 149 IPC, registered at Police Station Phillaur, District Jalandhar.

2. Precise submission made by counsel for the petitioner is that the petitioner has been illegally declared as proclaimed offender vide order dated 14.09.2001, however, when he applied for the copy of the order, there was no such order found.

3. Notice of motion.



4. Mr. Tarun Aggarwal, Sr. DAG, Punjab, accepts notice on behalf of the State. He has drawn the attention of this Court to the status report filed by way of affidavit of Vijay Kanwal Pal, PPS, Deputy Superintendent of Police, Sub Division Philluar, Jalandhar Rural, which has been filed in Court today. He has submitted that the petitioner was declared proclaimed offender vide order dated 28.07.2001 by learned JMIC, Jalandhar.

5. However, learned counsel for the petitioner has further submitted that the petitioner intends to return to India and join the proceedings before the trial Court. He has submitted that the petitioner is boarding his flight on 25.11.2024 and would land in India on the same day itself.

5. Heard.

6. After hearing learned counsel for the parties and perusing the record, it is evident that now the petitioner is returning India on 25.11.2024 and is keen to join the proceedings and face the trial. In these circumstances, when the petitioner is ready to join the proceedings and face the trial, he is granted ten days protection from arrest from the date of his arrival in India i.e. 25.11.2024.

7. The petitioner is directed to appear before the trial Court within a period of ten days from 25.11.2024 and file an appropriate application and the trial Court would grant him bail till the disposal of the case on his furnishing bail/surety bonds to its satisfaction. The petitioner will have protection from arrest for a period of ten days from 25.11.2024. The trial Court is free to impose any condition on the petitioner while admitting him



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to bail.

8. Needless to say that in case the petitioner fails to comply with the abovesaid direction, this order would be of no avail to him and the present petition shall be deemed to have been dismissed.

9. Petition stands disposed of in abovesaid terms.

20.11.2024
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Whether Speaking/Reasoned
Whether Reportable

(RAJESH BHARDWAJ)
JUDGE

: Yes/No
: Yes/No