

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.21352 of 2024

Date of decision: 1st May, 2024

Rashpal Singh @ Thinda

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner in the instant petition filed under Section 482 Cr.P.C. is praying for quashing of the order dated 22.02.2023 (Annexure P-2) passed by the learned trial Court vide which he was declared a proclaimed offender in case FIR No.81 dated 27.08.2015 under Sections 399, 402, 212, 216, 34 of the IPC and Section 25 of the Arms Act, 1959 registered at Police Station Maqboolpura, District Amritsar.

2. Learned counsel for the petitioner submits that the petitioner had been regularly appearing before the Court concerned and it was only on 06.07.2022 that he could not appear before the Court due to illness of his brother, as a result of which the learned trial Court vide order dated 22.02.2023 declared him a proclaimed offender. 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 learned trial Court. Hence, in the aforementioned facts and circumstances, the petitioner be protected till his appearance before the Court concerned and the Court 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 appearing on behalf of the petitioner, the petition is disposed of with direction to the petitioner to appear and surrender before the learned trial Court on or before 09.05.2024. Till then, no coercive steps shall be taken against the petitioner, subject to payment of costs in the sum of ₹10,000/- which shall be deposited with the District Legal Services Authority, Amritsar.

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,

the learned trial Court shall make earnest efforts to decide the same expeditiously in accordance with law.

(MANJARI NEHRU KAUL)
JUDGE

May 1, 2024
rps

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