

2024:PHHC:098643



IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

124

CRM-M-23646-2024 (O&M)
Date of decision: 02.08.2024

Sahil ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Rajat Dogra, Advocate
for the petitioner.

Mr. Arjun Lakhanpal, Addl. A.G., Haryana.

MANISHA BATRA, J. (Oral)

1. CRM-30614-2024

Allowed as prayed for, subject to all just exceptions.

Copy of the statement of serving police official is taken on record
as Annexure P-7.

2. CRM-M-23646-2024 (O&M)

The instant petition has been filed by the petitioner under Section 482 Cr.P.C. for quashing of order dated 19.12.2023 (Annexure P-5), passed by the learned Sub Divisional Judicial Magistrate, Tohana in case titled as *State vs. Anil and others*, arising out of FIR No. 130 dated 31.03.2018, registered under Section 25 of the Arms Act, 1959 at Police Station City Tohana, District Fatehabad, whereby the petitioner had been declared a proclaimed person.

2. After hearing learned counsel for the parties at considerable length, no infirmity or illegality is found either in the process adopted by the



trial Court for declaring the petitioner a proclaimed person or in the impugned order. Hence, this Court is of the view that the present petition is liable to be dismissed. However, keeping in view the fact that the petitioner is ready to join the Court proceedings, which would obviously help in speedy conclusion of trial, while dismissing the present petition, the petitioner is directed to surrender before the trial Court within a period of 15 days from today and on doing so, the trial Court shall release him on regular, subject to his furnishing personal/surety bonds to its satisfaction.

3. However, this relief shall be subject to a condition that the petitioner shall deposit costs of Rs. 20,000/- with the District Legal Services Authority, Fatehabad, which will be a pre-condition for the trial Court to grant concession of regular bail to the petitioner.
4. Till the stipulated time, the arrest of the petitioner shall remain stayed.
5. It is made clear that in case the petitioner fails to surrender before the trial Court within the time stipulated by this Court, the aforesaid relief shall be deemed to be withdrawn.

02.08.2024

Waseem Ansari

(MANISHA BATRA)

JUDGE

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