

CRM-M-29220-2024

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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-29220-2024

Date of decision: 28.08.2024

SATNAM SINGH

....Petitioner

Versus

UT CHANDIGARH AND ANOTHER

....Respondents

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Hritik Sharma, Advocate for
Mr. Lupil Gupta, Advocate for the petitioner.

Mr. Manish Bansal, P.P., U.T. Chandigarh and
Mr. Shaurya Nagpal, Advocate

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SANJIV BERRY, J. (ORAL)

The instant petition under Section 482 Cr.P.C. has been moved by the petitioner seeking quashing of the impugned order dated 22.05.2024 (Annexure P-6) passed by learned Judicial Magistrate Ist Class, Chandigarh whereby the proclamation under Section 82 Cr.P.C. was issued against the petitioner in Criminal Complaint bearing No.NACT/4832/2023 titled '*Chandan Garg Versus Satnam Singh etc*'.

2. Learned counsel for the petitioner *inter alia* contends that in compliance to the order dated 23.07.2024, petitioner appeared before the learned trial Court on 29.07.2024 and furnished requisite bail bonds, surety bonds and also deposited the costs as imposed by this Court and placed on record copy of order dated 29.07.2024 passed by learned Judicial

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joined the trial Court proceedings, as such the order dated 22.05.2024 (Annexure P-6) passed by learned Judicial Magistrate Ist Class, Chandigarh whereby proclamation under Section 82 Cr.P.C. issued against the petitioner, be quashed.

3. Learned State counsel has not disputed the aforesaid factual matrix of the case and submits that petitioner appeared on 29.07.2024 before the learned trial Court and furnished requisite bail bonds.

4. Service to respondent No.2 has not been effected. At this stage, service of respondent No.2 is dispensed with.

5. Heard.

6. During the course of the proceedings, following order was passed on 23.07.2024:-

“ Learned counsel for the petitioner submits that the petitioner could not appear before the trial Court/Duty Magistrate in compliance to the order dated 03.06.2024 and prays for one more opportunity to appear before the trial Court.

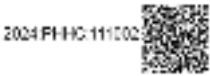
Learned Public Prosecutor appearing on behalf of UT Chandigarh has no objection to the prayer made by learned counsel for the petitioner.

In view of the prayer, the petitioner is again directed to appear before the learned trial Court/Duty Magistrate within a period of 07 days from today in terms of the order dated 03.06.2024, however, subject to payment of costs of Rs.5,000/- to be deposited by the petitioner in the District Legal Services Authority, Chandigarh. The receipt thereof be produced before the learned trial Court/Duty Magistrate while appearing before it.

List on 28.08.2024.”

7. Keeping in view the fact that the petitioner has already appeared on 29.07.2024 before the learned trial Court and furnished his

requisite bail/surety bonds consequent to the order dated 23.07.2024,



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passed by this Court, the present petition is allowed and order dated 22.05.2024 (Annexure P-6), passed by learned Judicial Magistrate Ist Class, Chandigarh, whereby the proclamation under Section 82 Cr.P.C. was issued against the petitioner is hereby set aside and the interim bail granted vide order dated 03.06.2024 is hereby confirmed.

8. The Petition stands disposed of.

28.07.2024
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(SANJIV BERRY)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |