



CRM-M-29697-2024

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

CRM-M-29697-2024

Date of Decision: 25.07.2024

Harpreet Singh

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Dhiraj Jindal, Advocate
for the petitioner.

Mr. J.S. Arora, DAG, Punjab.

Rajesh Bhardwaj, J.**CRM-26336-2024**

Application is allowed as prayed for.

Annexure P-7 is taken on record.

Main case

Prayer in the present petition is for quashing/setting aside the impugned order dated 20.01.2024 (Annexure P-1) passed by learned Judicial Magistrate Ist Class, Patiala whereby the petitioner has been declared as Proclaimed Offender in a case bearing No.CHI/612/2021 titled as State of Punjab Vs. Amrinder Singh @ Kaka etc, arising out of FIR No.03 dated 03.01.2021, under Sections 341, 323, 427, 506, 148 and 149 of IPC, registered at PS Division No.4, District Patiala along with consequential proceedings arising therefrom under Section 174-A of the IPC.



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It has been submitted by learned counsel for the petitioner that the police presented challan before the JMIC, Patiala and since then the petitioner was regularly appearing before the trial Court. However, on 2-3 dates, exemption applications were filed on behalf of the petitioner which request was earlier accepted by the trial Court but later on same was not accepted. Due to the said reason, petitioner failed to appear on 21.12.2022, therefore, bail order of the petitioner was cancelled and bail bonds were forfeited to the State. Eventually petitioner was declared Proclaimed Offender vide order dated 20.01.2024. He submits that the petitioner is ready and willing to appear before the competent Court and face the trial.

Learned State counsel has opposed the submissions made by learned counsel for the petitioner and has stated that the trial Court has rightly declared the petitioner as proclaimed offender on 20.01.2024, who remained absent from the Court without any valid reason.

After hearing learned counsel for the parties and perusing the record, it is apparent that now petitioner is ready to join the proceedings in the main case and no useful purpose will be served by sending him behind the bars, rather it would be appropriate if he is directed to face the trial. So keeping in view the abovesaid contentions, order dated 20.01.2024 is *set aside*, subject to payment of Rs.5,000/- as costs to be deposited with the Poor Patients' Welfare Fund, PGIMER, Chandigarh by the petitioner within 10 days from today.

In case, the petitioner appears and surrenders before the Court concerned within a period of 15 days from today and produce receipt of abovesaid costs and files an appropriate application for bail during

pendency of trial, the Court concerned would admit him to bail subject to its satisfaction in accordance with law. He will have protection from arrest for a period of 15 days from today.

Needless to say that in case the petitioner fails to comply with the abovesaid direction, he will have no benefit of this order and the order dated 20.01.2024 would stand automatically revived.

Disposed of in above terms.

25.07.2024

m.sharma

(RAJESH BHARDWAJ)
JUDGE

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No