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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-36237-2021 (O & M)
Date of Decision: 14.02.2024

Sukhchain Singh

... Petitioner

Versus

State of Punjab and anr.

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Sukhdeep Singh Bhinder, Advocate,
for the petitioner.

Mr. Deepinder Singh Brar, Sr. DAG, Punjab.

JASJIT SINGH BEDI, J.

On 03.09.2021, the following order was passed:-

“Case heard via video conferencing.

This petition has been filed under the provisions of Section 482 of the Cr.P.C. seeking quashing of the order dated 23.03.2017 (copy Annexure P-3 with the petition), passed by the learned Additional Sessions Judge, Barnala, in CRA No. 22 of 20.04.2015, whereby the petitioner was declared as a proclaimed person in case FIR No. 140, dated 22.05.2008, registered at Police Station City Barnala, alleging therein the commission of offences punishable under the provisions of Sections 447/380/148/149 of the IPC.

Learned counsel for the petitioner submits that after the petitioner was acquitted by the trial court, vide the judgment Annexure P-1, dated 10.03.2015, the petitioner went abroad on 07.07.2015 and has not returned since.

In the meanwhile, an appeal against acquittal was filed, which also has been now dismissed on 25.03.2019, and therefore there would be no reason for the petitioner to

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continue to be declared to be a proclaimed offender/person, with him now wanting to come back to India.

Though otherwise, if the petitioner had gone abroad after he had been issued summons by the appellate court, the contention of learned counsel would not be entirely correct, yet, with the appeal itself having also been dismissed, notice of motion is issued.

On the asking of the court, Mr. Rana Harjasdeep Singh, D.A.G., Punjab, accepts notice on behalf of the respondent-State.

A copy of the petition be emailed to him by learned counsel for the petitioner today itself.

Adjourned to 08.10.2021.

In the meanwhile, the petitioner, upon return from abroad, be not arrested till the next date of hearing.”

Thereafter, the matter was adjourned from time to time and ultimately, the petitioner surrendered before the Lower Appellate and was granted the concession of interim bail on 30.01.2024.

In view of the fact that the petitioner has complied with the orders of this Court, no further orders are required to be passed in this case. This petition stands Disposed of.

However, as the petitioner is a NRI, the Appellate Court is directed to conclude the hearing of the appeal within a period of 04 weeks from the next date of hearing fixed before it keeping in view the fact that the co-accused of the petitioner already stand acquitted and the appeal against the judgment of acquittal also stands dismissed.

(JASJIT SINGH BEDI)
JUDGE

February 14, 2024
sukhpreet

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No