



CRM-M-31362-2024

**119 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**CRM-M-31362-2024
Decided on : 05.07.2024

Balbir Singh @ Raja @ Balvir Singh Petitioner

Versus

State of Punjab and another Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAULPresent : Mr. R.S.Pathania, Advocate
for the petitioner.

Manjari Nehru Kaul, J.(Oral)

Instant petition has been filed under Section 482 Cr.PC for quashing of the order dated 08.03.2021 (Annexure P-3) passed by learned Sub Divisional Judicial Magistrate, Dasuya vide which the petitioner has been declared a proclaimed offender in case FIR No.110 dated 25.07.2019 under Sections 443, 323, 506, 148, 149 IPC registered at Police Station Dasuya District Hoshiarpur.

2. Learned counsel for the petitioner submits that since the matter was settled between the parties, the petitioner was under the impression that he need not appear before the trial Court and went abroad for livelihood. Meanwhile, the trial Court initiated proclamation proceedings against him and vide order dated 08.03.2021 declared him a proclaimed offender. Learned counsel still further submits that the petitioner is ready to appear and surrender and thereafter join proceedings before the trial Court.



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3. Notice of motion.
4. On the asking of Court, Mr. Navdeep Sindh, DAG, Punjab accepts notice on behalf of the respondent-State.
5. In view of the submissions made above, the petition is disposed of with directions to the petitioner to appear and surrender before the trial Court by 09.07.2024. Till then, no coercive steps be taken against the petitioner. However, this shall be subject to payment of Rs.30,000/- as costs to be deposited before the District Legal Services Authority concerned; the petitioner is also directed to plant 04 shady trees within the judicial complex in Hoshiarpur, with the specific area to be identified by the District Legal Services Authority concerned on or before 09.07.2024, which shall be a condition precedent, prior to the surrender before the Trial Court; the DLSA would also ensure the proper maintenance and upkeep of the trees so planted. In case, the petitioner moves an application for bail, the trial Court shall decide it expeditiously in accordance with law. It is, however, made clear that in case the petitioner fails to abide by the directions of this Court, then this order shall be of no avail to him after 09.07.2024.

05.07.2024
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(MANJARI NEHRU KAUL)
JUDGE

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