



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

CRM-M-32240-2024

Date of Decision :10.07.2024

JASBIR SINGH ALIAS SATBIR SINGHPetitioners

VERSUS

STATE OF PUNJABRespondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Karan Chaudhary, Advocate,
for the petitioner.

Mr.Pardeep Bajaj, DAG, Punjab.

KULDEEP TIWARI, J.(Oral)

1. The present petition has been filed for quashing of impugned order dated 30.09.2011 (Annexure P-6), whereby the petitioner has been declared a proclaimed offender, by learned JMIC, Batala, in case FIR bearing No.164, dated 09.12.2006, under Sections 326, 452, 323, 427, 506, 148, 149 and 120-B of the IPC, registered at Police Station Shri Hargobindpur, Police District Batala, District Gurdaspur.

2. Learned counsel for the petitioner submits that in order to earn bread and butter for his family, the petitioner went abroad, which led the learned trial court concerned, to declare him as a proclaimed offender, vide the impugned order (*supra*).

3. He further submits that the co-accused, who faced trial in the instant FIR (*supra*), has been convicted.

4. He further submits that at this stage, the petitioner has come back to India, and he has no intentions to challenge the legality of the

order (*supra*), passed by this Court, however, the petitioner is ready and willing to face the trial, and is ready to surrender before the learned trial Court concerned, in case adequate protection is granted to him.

5. Notice of motion.

6. Mr.Pardeep Bajaj, DAG, Punjab, accepts notice on behalf of respondent-State and opposes the grant of relief (*supra*), to the present petitioner.

7. This Court has heard the learned counsel for both the parties concerned, and has gone through the entire case file.

8. What reflects from the perusal of the instant petition, that the petitioner was earlier extended the relief of regular bail, and thereafter, from 2006 to 2010, he was regularly appearing before the learned trial court concerned, but, thereafter, in order to earn bread and butter for his family, without awaiting the conclusion of trial, the petitioner went abroad.

9. In totality of the circumstances, as explained above, and without going into the legality of the impugned order (*supra*), this Court deems it appropriate to direct the petitioner to surrender before the learned trial Court/Illaqa Magistrate/CJM concerned, concerned within 10 days from today.

10. In case the petitioner surrenders before the court concerned, within a stipulated time and moves a regular bail application, the latter shall decide the same most expeditiously, after affording an adequate opportunity of hearing to the parties concerned.

11. In the meanwhile, the arrest of the petitioner shall remain stayed, subject to deposit of costs of Rs.50,000/- with the District Legal Services Authority concerned.

12. However, in case, the petitioner fails to deposite the aforesaid cost, and fails appear before the learned trial Court concerned within 10 days from today, the protection granted hereinabove, *qua* his arrest shall *ipso facto* vacated, without any further reference to this Court.

13. **Disposed of accordingly.**

July 10, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No