

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

123

CRM-M-33805-2024
Date of decision: 23.07.2024

DINESH KUMARPetitioner

Versus

STATE OF PUNJAB AND ANOTHER ...Respondents

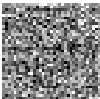
CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Ms. S.G. Kapila, Advocate for the petitioner.

Mr. Pardeep Bajaj, DAG, Punjab.

KULDEEP TIWARI. J.(Oral)

1. Through the instant petition, challenge is thrown to the impugned order dated 16.08.2022, Annexure P-4, vide which the petitioner has been declared as proclaimed person, in cross case DDR No.35 dated 24.03.2021, registered under Sections 323, 324 and 34 of IPC, at Police Station Bullowal, District Hoshiapur (Annexure P-2), registered in case FIR No.40 dated 24.03.2021, under Sections 323, 324 and 34 of IPC, at Police Station Bullowal, District Hoshiapur (Annexure P-1).
2. In the instant case, the petitioner was earlier granted the relief of regular bail, and he was regularly appearing before the learned trial Court concerned, thereupon, on account of the reasons mentioned in the instant petition, the petitioner did not cause appearance before the learned trial Court concerned, which led the latter to declare the present petitioner as a proclaimed person. The other co-accused, namely Anil, was also declared as a proclaimed offender, vide order dated 02.07.2022, and Krishan Kumar was convicted vide judgment dated 21.02.2024. Now the above stated accused, Krishan Kumar has preferred the appeal, which is pending adjudication.
3. Learned counsel for the petitioner in asking for the relief (supra), submits that the matter has now been compromised between the parties concerned, and the petitioner is ready and willing to cause appearance before the learned trial



Court concerned.

4. Though an unsuccessful attempt has been made to throw challenge to the impugned order, however, finally learned counsel for the petitioner confined her relief to the extent that in case an adequate protection is granted to the petitioner, he is ready and willing to face the trial before the learned trial Court concerned.

5. In view of the limited prayer made by learned counsel for the petitioner, the petitioner is directed to cause appearance within 15 days from today. In case the petitioner appears before the learned trial Court concerned within a period of 15 days from today, and moves an appropriate application for grant of regular bail before the learned trial Court concerned, the latter shall make every endeavor to decide the bail application, if any, moved, most expeditiously, preferably on the same day. Only till then the arrest of the petitioner shall remain stayed.

6. In case the petitioner does not cause an appearance before the learned trial Court concerned, within 15 days from today, the interim protection granted by this Court shall be *ipso facto* vacated, without any further reference to this Court.

7. The instant petition is **disposed** of accordingly.

23.07.2024
amandeep

(KULDEEP TIWARI)
JUDGE

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