

269 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-41079-2020 (O&M)

Date of Decision: 12.02.2024

JAGDEV SINGH

.....PETITIONER

Vs.

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. D.K. Bhatti, Advocate,
for the petitioner.

Ms. Himani Arora, A.A.G., Punjab

HARPREET KAUR JEEWAN J. (ORAL)

1. This petition has been filed under Section 482 Cr.P.C. for quashing of the order dated 18.05.2009 (Annexure P-3) passed by the learned Judicial Magistrate Ist Class, Jalandhar, whereby the petitioner has been declared as Proclaimed Offender in case FIR No. 75, dated 15.12.2001, registered under Sections 498-A and 506 of the IPC read with Section 120-B thereof.

2. Counsel for the petitioner *inter alia* contends that the FIR was registered at the instance of sister-in-law of the petitioner. The petitioner went to UAE in year 2009 and he was not aware of the proceedings in the present FIR. Accused/respondents No. 2 to 5 were acquitted by the Judicial Magistrate, Jalandhar, as per the order dated 27.02.2010 (Annexure P-4). The petitioner wanted to get his passport renewed and as per show cause notice dated 08.11.2020 (Annexure P-5), he came to know about the pendency of the present FIR having been registered against him.

3. Counsel for the petitioner further contends that in pursuance of the order dated 18.01.2021 passed by the co-ordinate Bench of this Court, he has already surrendered before the trial Court and has been appearing regularly. Copies of the orders passed by the learned trial Court have been supplied in Court today. The same are taken on record. As per the order dated 23.08.2023, the petitioner has surrendered and appeared and as per the subsequent orders dated 22.09.2023 and 30.10.2023, his appearance is being marked by the trial Court and he had been admitted to interim bail.
4. Learned counsel for the State has not raised any objection.
5. Keeping in view the above and the fact that the petitioner is regularly appearing before the trial Court, the present petition is allowed and the order dated 18.05.2009 (Annexure P-3) passed by the learned Judicial Magistrate Ist Class, Jalandhar, stands quashed. The order of interim bail dated 18.01.2021 is made absolute.
6. The present petition is accordingly disposed of.
7. Pending miscellaneous application (s), if any, shall also stand disposed of.

February 12, 2024
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(HARPREET KAUR JEEWAN)
JUDGE

Whether Speaking	Yes
Whether reportable	No