



CRM-M-52883-2024

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

CRM-M-52883-2024

Date of Decision: 23.10.2024

Harpreet Singh alias Lakha

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Pardeep Kumar Kapila, Advocate, for the petitioner.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for quashing of the order dated 17.02.2024 (Annexure P-6) in a case FIR No.164 dated 02.09.2021, under Sections 379-B, 34 IPC, Police Station Sahnewal, Ludhiana vide which the petitioner has been declared proclaimed person.

2. It has been contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present FIR. He submits that after registering of the FIR, the petitioner was granted bail on 05.05.2023 and he was regularly appearing before the trial Court. He submits that on 18.09.2023 due to unavoidable circumstances, the petitioner could not appear before the Court, due to which his bail/surety bonds were cancelled and forfeited to the State and thereafter on 17.02.2024, he was declared as proclaimed person. He submits that now the petitioner is ready to join the investigation/proceedings and face the trial and as such the order dated 17.02.2024, vide which he was declared as proclaimed person, is liable to be set aside.

3. Notice of motion.

4. Mr. Tarun Aggarwal, Sr. DAG, Punjab, accepts notice on



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behalf of the State and has submitted that the petitioner has rightly been declared as proclaimed person by the trial Court as he remained absent from Court.

5. Heard.

6. After hearing learned counsel for the parties and perusing the record, it is evident that due to unavoidable circumstances, the petitioner could not appear before the trial Court and on 18.09.2023, his bail/surety bonds were cancelled and forfeited to the State and thereafter, on 17.02.2024, he was declared as proclaimed person. Now the petitioner is keen to join the proceedings and face the trial. In these circumstances, when the petitioner is ready to join the proceedings and face the trial, the order dated 17.02.2024 is set aside subject to payment of Rs.10,000/- as costs to be paid by the petitioner to the Gurudwara Sri Guru Singh Sabha, (registered) Sector -7C, Chandigarh within a period of seven days from today.

7. The petitioner is directed to appear before the trial Court within a period of ten days from today and file an appropriate application alongwith the receipt of costs of Rs.10,000/- and the trial Court would grant him bail till the disposal of the main case on his furnishing bail/surety bonds to its satisfaction. The petitioner will have protection from arrest for a period of ten days from today. The trial Court is free to impose any condition on the petitioner while admitting him to bail.

8. Needless to say that in case the petitioner fails to comply with the abovesaid direction, this order would be of no avail to him and the order dated 17.02.2024 will come in force and the present petition shall be deemed to have been dismissed.



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9. Petition stands disposed of in abovesaid terms.

23.10.2024			(RAJESH BHARDWAJ)
sharmila			JUDGE
	Whether Speaking/Reasoned	:	Yes/No
	Whether Reportable	:	Yes/No