

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-52892-2023
Date of decision : 02.05.2024

Harnek SinghPetitioner

Versus

State of Punjab and another ...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Mohit Kumar, Advocate for the petitioner.

Mr. J.S. Arora, DAG, Punjab with ASI Kulwinder Singh.

PANKAJ JAIN, J. (ORAL)

On 19th of October, 2023 following order was passed :

Challenge has been laid to the order dated 23rd of August, 2023 (Annexure P-4) passed by SDJM, Sultanpur Lodhi whereby the arrest warrant of the petitioner has been issued in case FIR No.315, dated 14th of December, 2021 registered for the offences punishable under Sections 323/ 324/506/201/34 IPC, at Police Station Sultanpur Lodhi, District Kapurthala.

Counsel for the petitioner *inter alia* submits that though the petitioner was initially named in the FIR but was not Challaned in the report filed under Section 173 Cr.P.C. Exercising jurisdiction under Section 190 of the Code, the petitioner was summoned by the Trial Court vide order dated 25th of May, 2022. However prior thereto the petitioner had already left the country in December, 2021 and thus ought not have been ordered to be summoned through arrest warrants.

Issue notice of motion returnable for **6th of February, 2024** subject to the condition that the petitioner shall appear before the Trial Court on or before **9th of November, 2023** and shall deposit

costs of Rs.10,000/- with the Punjab and Haryana High Court Bar Association Lawyer's Family Welfare Fund.

On his doing so, the Trial Court shall admit the petitioner to bail subject to its satisfaction.

In the meantime, operation of the impugned order dated 23rd of August, 2023 (Annexure P-4) shall remain stayed.

Today counsel for the petitioner has produced order dated 6th of November, 2023 to show that the petitioner appeared before the Trial Court in compliance of the interim order and stands admitted to bail afresh.

In view thereof, no further order is warranted as the petitioner undertakes to regularly appear before the Trial Court.

Disposed off accordingly.

May 02, 2024			(Pankaj Jain)
Dpr			Judge
	Whether speaking/reasoned	:	Yes/No
	Whether reportable	:	Yes/No