



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

CRM-M-50986-2024

Date of Decision : 23.10.2024

CHANDERPATI ALIAS NEETU

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. L.M.Gulati, Advocate,
for the petitioner.

Mr. Rajesh Gaur, Addl.A.G., Haryana

KULDEEP TIWARI, J.(Oral)

1. Through the instant petition preferred under Section 528 of the BNSS, 2023, challenge is thrown to the order dated 11.04.2013 (Annexure P-4), passed by the learned JMIC, Rewari, whereby, the petitioner has been declared as a proclaimed person in case FIR No.119, dated 04.06.2012, under Sections 406, 420, 120-B and 34 of the IPC, registered at Police Station Rampura, District Rewari.
2. In asking for the relief (*supra*), learned counsel for the petitioner, though has made endeavour to challenge the legality of the impugned order (*supra*), but he failed to do so.
3. He further submits that the petitioner is ready and willing to surrender before the learned trial court concerned, and to face the trial, in case an adequate protection is granted to him.

4. He further submits that the matter has now been amicably settled between the parties concerned, and for that he placed reliance upon a settlement deed Annexure P-2.

5. On the other hand, learned State counsel opposed the grant of relief (*supra*), to the present petitioner.

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

7. This Court finds the prayer, as made by learned counsel for the petitioner, innocuous and *bona fide*, since the very object of declaring an accused a proclaimed person is to secure his/her presence so as to put him/her on trial. Therefore, without going into the legality or illegality of the impugned order (*supra*), this Court directs the petitioner to surrender before the learned trial Court concerned within 20 days from today.

8. In case the petitioner surrenders before the learned trial Court concerned, within a stipulated time and moves a regular bail application, the latter shall make all its endeavours to decide the same on that very day itself, on its own merits, in accordance with law, after giving adequate opportunity of hearing to the parties concerned.

9. In the meanwhile, operation of the impugned order (*supra*), shall remain in abeyance.

10. However, in case, the petitioner fails to surrender before the learned trial Court concerned within the stipulated time, the protection granted hereinabove, *qua* her arrest shall *ipso facto* vacated, without further reference to this Court.

- 11. **Disposed of accordingly.**
- 12. All pending application(s), if any also, stand **disposed** of accordingly.

October 23, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

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