

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

218

CRM-M-54278-2023
Date of Decision: 20.08.2024

Manjinder Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM:HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Karanvir Singh, Advocate and
Mr. Tajinder Pal Makkar, Advocate
for the petitioner.

Mr. Sukhdev Singh, AAG, Punjab.

ANOOP CHITKARA, J.

DDR No.	Dated	Police Station	Sections
32	05.09.2013	Fattu DHINGA, District Kapurthala	324, 323, 148, 149 IPC (offence u/s 326 IPC added later on)
In FIR No.71	03.09.2013	Fattu DHINGA, District Kapurthala	307, 336 IPC and 27 of Arms Act

Seeking quashing of impugned order dated 30.11.2021 (Annexure P-7) passed by the Judicial Magistrate, Ist Class, Sultanpur Lodhi, District Kapurthala, vide which the petitioner was declared proclaimed person in the DDR/FIR mentioned above, petitioner has come up before this Court by filing the present petition under Section 482 CrPC.

2. On 03.11.2023, Coordinate Bench of this Court had passed the following order:-

“Learned counsel for the petitioner submitted that the present is a petition wherein the order dated 30.11.2021, by which the petitioner was declared proclaimed person is under challenge. He further submitted that earlier when the present FIR was registered, the petitioner was exonerated by the police, but thereafter he was summoned under Section 319 Cr.P.C. and in the meantime the country faced Covid-19 Pandemic and the Courts were not functioning, but he had to go abroad as he had a 1½ years old son in Canada, who needed urgent attention and could not come back. He submitted that all the other co-accused have since been

acquitted by the learned trial Court and he has specific instructions to state that the petitioner is ready and willing to come back to India and to surrender before the Court below in order to face the trial. He further submitted that the petitioner would be surrendering before the Court within a period of 30 days from today and till the time, the petitioner surrenders, he may be protected.

Notice of motion for 13.02.2024.

In view of the aforesaid position and the undertaking given by the learned counsel for the petitioner on behalf of the petitioner that the petitioner will come back to India and will surrender before the trial Court within a period of 30 days, it is directed that the petitioner shall surrender before the trial Court within a period of 30 days from today. Till the time the petitioner surrenders, the operation of the impugned order dated 30.11.2021 (Annexure P-7) by which he was declared proclaimed person shall remain stayed.”

3. Petitioner’s counsel submits that in compliance to the above said order, petitioner had surrendered before the trial Court and therefore, the present petition has rendered infructuous.
4. Given above, petition is disposed of as having become infructuous. Liberty reserved to the petitioner to file a separate petition for quashing of FIR under Section 174A IPC, if it is registered. Pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

20.08.2024
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Whether speaking/reasoned	Yes/no
Whether reportable?	Yes/no