



118

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.53533 of 2024
Date of decision : 25.10.2024

Ravinder Singh Anand

.....Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Deepanshu Mehta, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed praying for quashing of order dated 05.06.2024 (Annexure P-2) whereby the petitioner has been declared a proclaimed person in case FIR No.17, dated 19.01.2018, under Section 420 of IPC, registered at Police Station Division No.5, District Ludhiana (Annexure P-1).

2. It has been submitted by learned counsel for the petitioner that the petitioner was taken into custody on 03.08.2020 in FIR No.109, dated 30.07.2020, under Sections 302, 304, 328/34 of IPC, registered at Police Station Tarsika, District Amritsar and he remained in custody. He has submitted that thereafter the petitioner was granted the concession of regular bail by this Court vide order dated 25.05.2023. He has submitted that presence of the petitioner could not have been procured due to continuous incarceration of the petitioner and due to this reason, bail granted to the petitioner was cancelled and ultimately he was declared as



proclaimed person. He has submitted that the present FIR was registered on 19.01.2018 and the petitioner had joined the investigation and was co-operating with the investigating agencies, however the Final report under Section 173 Cr.P.C. was filed in the absence of petitioner. He has submitted that the petitioner is otherwise facing prosecution being implicated in the present case and even previously roped in other four cases also due to business rivalry. He has further submitted that absence of the petitioner was totally unintentional and was due to the fact that he was suffering from many age related diseases, had also undergone cardiac surgeries twice since 2018. He has further submitted that the petitioner is ready and willing to appear before the trial Court and comply with all the conditions imposed by this Court.

3. Notice of motion.

4. On asking of the Court, Mr. Tarun Aggarwal, Sr. DAG, Punjab appears and accepts notice on behalf of the respondent-State. He has opposed the submissions made by learned counsel for the petitioner and has stated that the trial Court has rightly declared the petitioner as proclaimed person.

5. After hearing counsel for the parties and perusing the record, it is apparent that the petitioner remained absent and his bail was cancelled. The reason for his absence has been given that he was suffering from age related ailments and as such his absence cannot be termed as intentional or malafide. As the petitioner is keen to join the proceedings, so keeping in view the abovesaid facts, the present petition is disposed of and the impugned order dated 05.06.2024 is *set aside* subject to payment of Rs.25,000/- as costs to be deposited with the Society for the Care of



Blind, Sector 26, Chandigarh by the petitioner within one week from today. In case, the petitioner appears and surrenders before the Court concerned within a period of 07 days from today and files an application for bail alongwith receipt of abovesaid costs, the Court concerned is directed to admit him to bail subject to its satisfaction and proceed with the trial in accordance with law. He will have protection from arrest for a period of 10 days from today.

6. Needless to say that in case the petitioner fails to comply with the abovesaid direction, he will have no benefit of abovesaid protection granted by this Court and order under challenge dated 05.06.2024 would come in force and the present petition would be deemed to have been dismissed.

25.10.2024
rittu

(RAJESH BHARDWAJ)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No