

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

CRM-M-53766-2019

Date of decision: 31.07.2024

AVTAR SINGH

....PETITIONERS

Versus

STATE OF PUNJAB AND ANOTHER

....RESPONDENTS.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Ritesh Pandey, Advocate for the petitioner.

Mr. Ankit Grewal, DAG, Punjab.

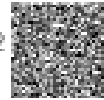
SANJIV BERRY, J. (ORAL)

The instant petition under Section 482 Cr.P.C. has been preferred by the petitioner seeking quashing of the FIR No.370 dated 18.09.2007, registered under Sections 420, 405, 406 of IPC at P.S. Civil Line, Amritsar, District Amritsar (Annexure P-1) and all the subsequent proceedings including the order declaring the petitioner as proclaimed offender dated 13.03.2009 (Annexure P-4).

2. Learned counsel for the petitioner submits that in compliance to the order passed by this Court on 17.12.2019, the petitioner has appeared in the trial Court and furnished the requisite bail bonds. In support of his contention, he has placed on record copy of order dated 19.12.2019 passed by learned Chief Judicial Magistrate, Amritsar. As per the order of trial Court, costs of Rs. 50,000/- has been deposited.

3. This aspect is not disputed by learned State counsel.

4. During the course of hearing on 17.12.2019, following order was passed:



CRM-M-53766-2019

2

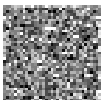
“Prayer in this petition is for quashing of FIR No.370 dated 18.09.2007 under Sections 420, 405, 406 IPC, registered at Police Station Civil Lines, Amritsar, District Amritsar and all the subsequent proceedings arising therefrom, including the order dated 13.03.2009 passed by the trial Court, vide the petitioner was declared as proclaimed offender.

Learned counsel for the petitioner submits that the matter was settled before the Lok Adalat on 22.04.2018, in which it was noticed that the petitioner has paid the entire amount of Rs.15,31,000/- by way of FDR bearing No.851468039-4 of Account Nos.3025, 905, 4833. It is further submitted that thereafter, the petitioner travelled abroad and on coming to know that proceedings for declaring him proclaimed offender are pending, he got the matter settled before the Lok Adalat.

Notice of motion for 27.04.2020.

In the meantime, petitioner is directed to appear before the trial Court within a period of 10 days from today and the trial Court will release him on interim bail subject to his furnishing bail/surety bonds. This will, however, be subject to deposit of costs of Rs.50,000/- with the Punjab and High Court Advocates' Welfare Fund.”

5. Keeping in view the fact that the petitioner has already appeared in the Court and furnished his requisite bail/surety bonds consequent to the order dated 17.12.2019, passed by this Court, the present petition is allowed. The order dated 13.03.2009, passed by learned Chief Judicial Magistrate, Amritsar, is set aside and the interim bail granted vide order dated 17.12.2019 is hereby confirmed.



CRM-M-53766-2019

- 6. The petition stands allowed.
- 7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(SANJIV BERRY)
JUDGE

31.07.2024
kanika

- | | | |
|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |