



124

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

**CRM-M No.60993 of 2024
Date of decision : 05.12.2024**

Pardeep Singh @ Deepa @ Hardeep Singh**.....Petitioner**

versus

State of Punjab**..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr. Rajeev K. Kapila, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed praying for quashing of impugned order dated 17.04.2023 (Annexure P-3) vide which the petitioner has been declared as proclaimed person in FIR No.0235, dated 22.11.2021, registered under Sections 323, 324, 148, 149, 506 of IPC, 1860, at Police Station Dasuya, District Hoshiarpur (Annexure P-1). Further prayer has been made for staying the operation of impugned order dated 17.04.2023 (Annexure P-3) during the pendency of the present petition.

2. It has been submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the FIR, however he was granted bail. He has submitted that the petitioner was duly appearing before the trial Court. He has submitted that the petitioner had a love affair with one girl, whom he wanted to marry and he along with the girl



ran away from their house and went to some other State, so he failed to appear only on one date i.e. 17.04.2023, however he was declared as proclaimed person. He has submitted that absence of the petitioner before the learned trial Court was neither intentional nor willful and he is ready and willing to appear before the trial 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 petitioner has been rightly declared as proclaimed person.

5. After hearing counsel for the parties and perusing the record, it is apparent that the petitioner remained absent and thus, he was declared proclaimed person vide order dated 17.04.2023. The reason for his absence has been given that he was in love affair and ran away with the girl from their houses and went to other State. 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 17.04.2023 (Annexure P-3) is hereby *set aside* subject to payment of costs of Rs.5,000/- to be deposited with the Spinal Rehab Centre, Plot No.1, Madhya Marg, Sector 28-A, Chandigarh by the petitioner within one week from today. In case, the petitioner appears and surrenders before the Court concerned within a period of 10 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 17.04.2023 would come in force and the present petition would be deemed to have been dismissed.

05.12.2024

rittu

Whether speaking/reasoned

Whether reportable

:

:

Yes/No

Yes/No

(RAJESH BHARDWAJ)

JUDGE