



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

**CRM-M-25897-2024**

**Date of decision: 20.02.2025**

**MANINDERJIT SINGH**

**....PETITIONER**

**Versus**

**STATE OF PUNJAB**

**...RESPONDENT**

**CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY**

Present: - Mr. Rana Harjasdeep Singh, Advocate for the petitioners.

Mr. Iqbalpreet Singh, AAG, Punjab.

**SANJIV BERRY, J. (ORAL)**

The instant petition under Section 482 Cr.P.C. has been filed for quashing of the impugned order datd 14.02.2017 (Annexure P-8) passed by learned Judicial Magistrate Ist Class, Ludhiana, in case FIR No.77 dated 24.04.2015 registered under Sections 494, 420, 120-B of IPC at P.S. Division No.4, District Ludhiana City (Annexure P-1).

2. It is, *inter alia*, contended by learned counsel for the petitioner that in compliance to the order passed by this Court on 14.08.2024, the petitioner has appeared before the learned trial Court and furnished the requisite bail bonds. In support of his contention, he has placed on record copy of order dated 30.08.2024 passed by learned Judicial Magistrate Ist Class, Ludhiana, in this regard.

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

4. During the course of hearing on 14.08.2024, following order was passed:



“2. Learned counsel for the petitioner, inter alia, contends that the FIR (Annexure P-1) was registered against the petitioner on 24.04.2015. He further contends that at the relevant time, the petitioner was not in India and was already residing in Canada and has referred to the entry in the passport (Annexure P-2) to say that the petitioner had arrived in Canada on 27.07.2014. He contends that the petitioner never came back to India thereafter and in the meanwhile, the police had been taking his warrants as well as proclamations from the learned trial Court but he received none of the processes for his appearance in Court. The petitioner was ultimately declared as proclaimed person vide impugned order dated 14.02.2017 (Annexure P-8). He contends by referring to the zimni orders passed by learned trial Court to say that the impugned order is not sustainable in the eyes of law and has been passed in violation of the statutory provisions laid down under Section 82 Cr.P.C. inasmuch as the proclamation was issued on 16.01.2017 for a period of less than 30 days. He contends that the petitioner is ready to appear in the trial Court within four weeks and face the trial.

3. Notice of motion.

4. On the asking of the Court, Mr. Adesh Pal Singh, AAG, Punjab, who is present in Court, accepts notice on behalf of the respondent-State and has not disputed the factual matrix of the case.

5. List on 27.09.2024.

6. In the mean while, the petitioner is directed to appear before the learned Trial Court/Judge on duty on or before 26.09.2024 and in that event, learned Trial Court/Judge on duty will admit the petitioner on interim bail subject to furnishing requisite bail bonds/surety bonds to the satisfaction of the concerned trial Court/Judge on duty.”



CRM-M-25897-2024

3

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 14.08.2024, passed by this Court, the present petition is allowed. The order dated 14.02.2017 (Annexure P-8), passed by learned Judicial Magistrate Ist Class, Ludhiana, stands quashed and the interim bail granted vide order dated 05.02.2024 is hereby confirmed.

6. The petition stands disposed of.

(SANJIV BERRY)  
JUDGE

20.02.2025  
kanika

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