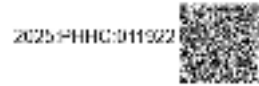


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CRM-M-59037-2023

-1-



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-59037-2023
Date of decision: 27.01.2025

AMANDEEP SINGH

....Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

....Respondents

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. M.S. Bath, Advocate for the petitioner.

Mr. Ankit Grewal, DAG Punjab.

.....

SANJIV BERRY, J. (ORAL)

The instant petition under Section 482 Cr.P.C. has been moved by the petitioner seeking quashing of the order dated 02.07.2022 (Annexure P-5) passed by learned Additional Chief Judicial Magistrate Shaheed Bhagat Singh Nagar in case titled as '*Jarnail Singh vs. Amandeep Singh*', whereby the petitioner was declared as proclaimed person.

2. Learned counsel for the petitioner *inter alia* contends that in compliance of the order dated 23.11.2023, petitioner appeared before the learned trial Court on 11.12.2023 and furnished requisite bail bonds, surety bonds and placed on record copy of order dated 11.12.2023 passed by learned Judicial Magistrate 1st Class, Shaheed Bhagat Singh Nagar. He contends that since the petitioner has joined the trial Court proceedings, as such the order dated 02.07.2022 (Annexure P-5) passed by learned



Additional Chief Judicial Magistrate, Shaheed Bhagat Singh Nagar
whereby the petitioner was declared as proclaimed person, be quashed.

3. Learned State counsel has not disputed the aforesaid factual matrix of the case and submits that petitioner appeared on 11.12.2023 before the learned trial Court and furnished requisite bail bonds.

4. Heard.

5. During the course of the proceedings, following order was passed on 23.11.2023:-

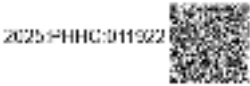
“ Learned counsel for the petitioner submitted that by way of an order dated 02.07.2023 vide Annexure P-5, the petitioner has been declared proclaimed offender. He further submitted that the reason for his nonappearance before the learned trial Court is that he was admitted in PGI, Chandigarh. He also submitted that the subject matter of the present case is pertaining to complaint under Section 138 of the N.I. Act and he has specific instructions to state that the petitioner is ready and willing to surrender before the learned trial Court within a period of three weeks from today and he undertakes that from henceforth, he will keep on regularly appearing before the Court and therefore, he may be protected in the meanwhile.

Notice of motion for 11.03.2024.

In view of the specific statement given by the learned counsel for the petitioner on behalf of the petitioner, he is directed to surrender before the learned trial Court within a period of three weeks from today.

Till the time the petitioner surrenders, the operation of the impugned order (Annexure P-5) by which he was declared P.O. shall be kept in abeyance.”

6. Keeping in view the fact that the petitioner has already appeared on 11.12.2023 before the learned trial Court and furnished requisite bail/surety bonds consequent to the order dated 23.11.2023, passed by this Court, the present petition is allowed and order dated 02.07.2022 (Annexure P-5), passed by learned Additional Chief Judicial



Magistrate, Shaheed Bhagat Singh Nagar, whereby the petitioner was declared as proclaimed person is hereby set aside and the interim bail granted vide order dated 23.11.2023 is hereby confirmed.

7. The petition stands disposed of.

27.01.2025
puneet

(SANJIV BERRY)
JUDGE

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