

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

**\*\*\*\***

**Criminal Misc. No.1175-M of 2008 (O&M)**

**Date of Decision:29.02.2008**

**Jugraj Singh Atwal**

**.....Petitioner**

**Vs.**

**Punjab Urban Planning & Development Authority and another**

**.....Respondents**

**CORAM:- HON'BLE MR. JUSTICE RAJESH BINDAL**

Present:- Mr. B.D.Sharma, Advocate for the petitioner.

**\*\*\*\***

**RAJESH BINDAL J.**

The prayer made in the present petition is for quashing of the complaint filed against the petitioner, who was attorney of other two accused in the complaint on the allegation that they had violated various provisions of Punjab Apartment and Property Regulation Act, 1995.

Notice of motion to Advocate General, Punjab.

Mr. Anter Singh Brar, DAG, Punjab, who is present in Court, accepts notice on behalf of the State.

Heard learned counsel for the parties. The petitioner was declared as Proclaimed Offender. Learned counsel for the petitioner submits that the complaint in the present case was filed in September, 2001 whereas the petitioner had gone to Canada on 14.10.2000 and had not come back thereafter. He submits that he does not wish to press his prayer for quashing of the complaint at this stage as he wishes to return to India and face the trial. However, as he had been declared as Proclaimed Offender during the period he was not present in the country, his arrest may be stayed so that he may appear before the Court and face the trial.

Keeping in view the fact that the complaint itself was filed after the petitioner had gone to Canada, without expressing any opinion on the merits of the controversy, it is directed that the petitioner shall surrender before the Court below on or before 20.3.2008 and on his appearance, the learned trial Court shall admit the petitioner to bail on furnishing of security to its satisfaction and subject to any other conditions

which the trial Court may impose. The petitioner shall be at liberty to raise all the issues raised in the present petition before the Court below during the course of trial.

The petition is disposed of.

**February 29, 2008**  
**renu**

**( RAJESH BINDAL )**  
**JUDGE**