

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

CRM-M No. 16586 of 2015 (O&M)

Date of decision: 20.05.2015

Naresh Kumar

..... Petitioner.

Versus

State of Haryana

..... Respondent.

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

Present:- Mr. Sandeep Kotla, Advocate, for the petitioner.

NAVITA SINGH, J. (ORAL)

There are mistakes in the copy of the proclamation attached as Annexure P-2. The proclamation was required to be published on or before 13.12.2011 as the direction to the petitioner was to appear in the Court on 13.01.2012.

However, in any case, the publication was to be made latest on 13.12.2011, but the statement of the executing constable recorded on 13.01.2012 by the Judicial Magistrate 1st Class, Hisar, shows that he had made the publication and the pasting etc. on 29.12.2011 which did not give 30 days to the petitioner to appear before the Court as required by law.

In view of the above, proclamation is set aside and the Court shall pass fresh order, if so needed.

Counsel for the petitioner submits that the petitioner shall surrender before the Court below but seeks interim protection.

In view of the above, it is ordered that the petitioner will surrender before the Court on 29.05.2015 and on such surrender the Court shall admit him to interim bail to its satisfaction. Till then petitioner shall not be arrested.

A copy of the order be supplied to counsel for the petitioner under the signature of Special Secretary of this Court.

The petition stands disposed of accordingly.

(NAVITA SINGH)
JUDGE

20.05.2015
Ramesh