

In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. No. M-43341 of 2015

Date of Decision: 21.12.2015.

Harjit Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Kartik Gupta, Advocate
for the petitioner.

SABINA, J.

Petitioner has filed this petition under Section 482 of the Code of Criminal Procedure, 1973 challenging the order dated 9.7.2012 (Annexure P-5).

Learned counsel for the petitioner has submitted that in the present case, during investigation, petitioner was found innocent. Challan was presented against Munish Kumar qua murder of his sister Vandana. So far as accused Munish Kumar is concerned, he was acquitted by the Trial Court vide order dated 12.12.2012. Magistrate had erred in declaring the petitioner a proclaimed offender without there being a statement of the police official to the effect that proclamation had, in fact, been published qua the petitioner as ordered by the Magistrate vide order dated 11.4.2012. In fact, prosecution had moved an application for deletion of the name of the petitioner from the list of proclaimed offenders as the petitioner had been found innocent during investigation. However, petitioner is ready to surrender before the Trial Court.

In view of the submissions made by the learned counsel for the petitioner, this petition is disposed of with a direction that in case petitioner surrenders before the Trial Court within 10 days from today, he be admitted to bail subject to the satisfaction of Trial Court/Duty Magistrate, Hoshiarpur.

**(SABINA)
JUDGE**

**December 21, 2015
Gurpreet**