

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-971-2015

Date of decision: 20.03.2015

Tahir

..... Petitioner

Versus

State of Haryana

..... Respondent

**CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH**

PRESENT: Mr. Satish Chaudhary, Advocate for the petitioner.

**R.P. NAGRATH, J. (ORAL)**

This petition under Section 482 Cr.P.C. has been filed by the petitioner for quashing the impugned order dated 03.07.2013 (Annexure P-1) passed by the learned Judicial Magistrate Ist Class, Nuh, District Mewat whereby the petitioner was declared as proclaimed person.

I have heard learned counsel for the petitioner and carefully gone through the paper-book.

The petitioner was on regular bail and had been appearing before the trial Court in FIR No. 294 dated 15.08.2009 registered under Sections 379/411/188/120-B of the Indian Penal Code (IPC) at Police Station Nuh. During the pendency of trial, he absented on 15.11.2012. Learned trial Court, thus, issued warrants of arrest against him and

ultimately, the petitioner was declared as proclaimed person, after necessary proceedings under Section 82 Cr.P.C. were followed by the trial Court and that declaration cannot be faulted with. Moreover, the petitioner has challenged the aforesaid order after more that 1½ years resulting into the delay in disposal of the trial.

In view of the above, I am of the considered opinion that this is not a fit case for this Court to exercise its discretion in terms of Section 482 Cr.P.C. for setting aside the impugned order dated 03.07.2013 (Annexure P-1).

Dismissed.

However, on surrender of the petitioner before the trial Court he may apply for regular bail and the trial Court shall decide the same within 10 days, in accordance with law.

**March 20, 2015**  
*rishu*

**( R.P. NAGRATH )**  
**JUDGE**