

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

**CRM-M-10616 of 2016
DECIDED ON: MAY 18, 2016**

BALRAJ SINGH @ RAJU

....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

- 1. Whether Reporters of local papers may be allowed to see the judgment?**
- 2. To be referred to the Reporters or not?**
- 3. Whether the judgment should be reported in the Digest?**

Present: Mr. L.S. Mann, Advocate
 for the petitioner.

JASPAL SINGH, J (ORAL)

Instant petition has been preferred under Section 482 Cr.P.C. seeking direction to trial Court to allow the petitioner to join the trial without considering him to be proclaimed offender in case bearing FIR No. 90 dated May 01, 2005 under Section 61/1/14 of Excise Act, Police Station Shahkot, Distt Jalandhar.

2. Notice of motion.

3. At the asking of Court, Mr. K.S. Pannu, DAG, Punjab accepts notice on behalf of respondent-State of Punjab. Copy of the petition be supplied to learned State counsel during the course of day.

4. A close scrutiny of the record transpires that petitioner has been facing trial in the above-said FIR in the Court at Nakodar, District Jalandhar.

He has been continuously appearing on each and every date fixed before it but it appears that due to some inadvertence or typographical mistake he has been shown to be proclaimed offender in the interim order dated September 20, 2011. Neither he has been shown to be absent on any of the dates fixed before trial Court nor his warrants of arrest has been issued. Similarly, no proceedings under Sections 182 and 183 Cr.P.C has been initiated qua him at any point of time. Though some proceedings in this regard were pending and were being carried out by trial Court qua the co-accused of the petitioner, who absented from the Court proceedings.

5. Instant petition is disposed of with a direction to learned trial Court to allow the petitioner to join the proceedings in the above-referred case and dispose of the same after securing the presence of the petitioner by way of issuance of notice in accordance with law.

6. A copy of this order be sent to the concerned Court for its compliance.

MAY 18, 2016
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(JASPAL SINGH)
JUDGE