

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

(114)

CRM-M-40750-2015 (O&M)

Decided on: April 06, 2016.

Sanjeev Singla

.... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Gourav Singla, Advocate, for the petitioner.

M.M.S. BEDI, J (ORAL)

Vide order dated 05.11.2015 Annexure P-10, the petitioner had been declared a proclaimed offender in FIR No.32 of 01.11.2013 registered at the instance of PUNSUP authorities alleging that paddy given to the petitioner for custom milling vide agreement dated 08.11.2010 had been misappropriated as after custom milling, the rice was not delivered to FCI by the target date i.e. 30.01.2012. Said order has been challenged in this petition.

Petitioner has also filed separate application for pre-arrest bail in which he has been granted concession of interim temporary bail. He has already joined investigation. In case of misappropriation of paddy, the objective to secure the presence of the petitioner seems to have been achieved with petitioner having joined investigation in proceedings under Section 438 Cr.P.C. The order declaring an accused a proclaimed offender survives till the arrest/availability of the petitioner for trial.

In view of above discussion, the petition for quashing of order declaring petitioner proclaimed offender has become infructuous with petitioner having already surrendered pursuant to his petition under Section 438 Cr.P.C.

This petition is disposed of as infructuous.

Application for pre-arrest bail will be decided independent of the order declaring him proclaimed offender.

(M.M.S. BEDI)
JUDGE

April 06, 2016
harsha