

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

CRM No.M-7325 of 2016

Date of Decision: February 29, 2016

Karnail Singh

.... Petitioner

vs.

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. M.S. Bedi, Advocate for the petitioner.

- 1. Whether Reporters of Local Newspapers 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?*

Kuldip Singh J.(Oral)

Petitioner has challenged the order dated 17.04.1997 (Annexure P-3) passed by learned Judicial Magistrate 1st Class, Gurdaspur, vide which he was declared proclaimed offender in a criminal complaint filed under Sections 326, 324, 323, 452, 506 read with Section 34 IPC.

I have heard learned counsel for the petitioner and have also carefully gone through the case file.

A perusal of the case file shows that the petitioner was absconded in the said complaint. Therefore, the proclamation was effected.

Learned counsel for the petitioner contends that the petitioner was abroad at the time of said proclamation.

However, no document has been produced regarding the said fact. It further comes out that not only the proceedings under Section 82 Cr.P.C. took place but the proceedings under Section 83 Cr.P.C. also took place and the property of the petitioner

was attached vide order dated 13.08.1998. Therefore, on account of attachment of the property, the petitioner must have become aware of the fact that some proceedings are pending against him. The petitioner has come to this Court 17 years after the passing of the order. Thus, there is no ground to interfere in the impugned order.

The petitioner is directed to first surrender before the lower court and file application for grant of regular bail.

Accordingly, the present petition stands disposed of.

February 29, 2016
sarita

(KULDIP SINGH)
JUDGE