

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

**CRM-M-No.9329 of 2015
Date of decision-09.08.2016**

**Paramjit Singh @ Pamma
Vs.**

...Petitioner

State of Punjab

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Ms. Satinder Kaur, Advocate for the petitioner.

Mr. Mehardeep Singh, Addl.AG, Punjab.

JITENDRA CHAUHAN, J. (Oral)

This petition under Section 482 of the Code of Criminal Procedure has been filed for quashing of order dated 27.01.2015 passed by SDJM, Phillaur declaring the petitioner as proclaimed offender in case FIR No.186 dated 09.07.2014 registered under Sections 15 and 25 of Narcotic Drugs & Psychotropic Substances Act, at Police Station Phillaur, District Jalandhar.

Learned counsel for the petitioner contended that the petitioner was not served as no proclamation was made in the village and vicinity of the petitioner.

On the other hand, learned Addl.A.G opposes the prayer and contends that the petitioner has rightly been declared proclaimed offender by a competent Court of jurisdiction by adopting the procedure of law.

Heard.

As per the record, vide order dated 12.12.2014 passed by SDJM, Phillaur, the petitioner was summoned through proclamation under Sections 82 and 83 of Cr.P.C for 24.12.2014. As per the office report, the service was duly effected upon the petitioner which is reflected in the order

dated 24.12.2014 passed by the Court of learned SDJM, Phillaur. However, keeping in view the fact that the statutory period of 30 days had not lapsed, the trial Court deferred the matter to 27.01.2015. On the adjourned dated i.e. 27.01.2015, despite service, the petitioner did not cause representation before the trial Court. Therefore, it cannot be said that the order dated 27.01.2015 suffers from any illegality or perversity as the service upon the petitioner was duly effected as reflected in the order dated 24.12.2014 passed by the Court of learned SDJM, Phillaur.

No case for quashing of order dated 27.01.2015 declaring the petitioner as proclaimed offender is made out.

Dismissed.

(JITENDRA CHAUHAN)
JUDGE

August 09, 2016

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Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No