

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

Criminal Misc. No. M-8866 of 2016

Date of Decision:-11.05.2016

Vijay Kumar and others

...Petitioners

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

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

Present:- Mr. Nitin Goyal, Advocate for
Mr. Sanjiv Gupta, Advocate
for the petitioners.

Mr. R.S. Nain, AAG Punjab.

HARI PAL VERMA J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of order dated 16.4.2015 (Annexure P-4) passed by the Judicial Magistrate 1st Class, Ludhiana, whereby the petitioners were declared proclaimed offenders and necessary intimation in this regard was sent to the SHO concerned.

Learned counsel for the petitioners has contended that though vide order dated 16.4.2015, the petitioners have been declared as proclaimed offenders, as a matter of fact they were

never intimated about that prior to passing of the impugned order. He further submits that the petitioners have no reservation to face the trial and are ready to surrender before the trial Court provided that they be protected from their arrest.

Learned State counsel on instructions from ASI Vinod Kumar states that they have no objection in case the petitioners surrender before the trial Court and approach for bail but in any case they must face the trial.

I have heard learned counsel for the parties.

While accepting the prayer made by the petitioners, who are ready to face the trial, it is directed that in case the petitioners surrender before the trial Court within two weeks from today, the trial Court shall admit the petitioners on bail subject to their furnishing adequate bail bonds/surety bonds to its satisfaction. The trial Court shall not be influenced by the observation made here-in-above.

Accordingly, the petition is allowed and the order dated 16.4.2015 (Annexure P-4) declaring the petitioners as proclaimed offenders, is set aside subject to the conditions as stipulated above.

May 11, 2016
Vijay Asija

(**HARI PAL VERMA**)
JUDGE