

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

**CRR No.2133 of 2016 (O/M)  
Date of decision : June 02, 2016**

**Momin** **..... Petitioner**

**Versus**

**State of Haryana** **..... Respondent**

**CORAM : HON'BLE MR. JUSTICE KULDIP SINGH**

**Present:-** Mr. R.S. Mamli, Advocate for the petitioner.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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**KULDIP SINGH J. (ORAL)**

Impugned in the present revision petition is the judgment dated 19.05.2016 passed by learned Addl. Sessions Judge, Kurukshetra, affirming the judgment of conviction dated 12.06.2016 and order of sentence dated 13.06.2014 passed by learned Judicial Magistrate 1<sup>st</sup> Class, Kurukshetra, vide which the petitioner was convicted for the commission of offence punishable under Section 174-A IPC and sentenced to undergo simple imprisonment for six months and to pay a fine of ₹500/-.

Suffice to say that petitioner was facing trial for the commission of offences punishable under Sections 406, 420, 379 and 120-B IPC. During trial, he absented and was declared proclaimed person on 21.03.2009 by the learned Judicial Magistrate 1<sup>st</sup> Class, Kurukshetra on 21.03.2009. He was ultimately arrested on 28.04.2013 i.e. after four years.

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

Learned counsel for the petitioner contends that the proclamation was not published in the area, where the petitioner was residing and 30 days period was also not given.

In this case, the petitioner remained proclaimed offender for 4 years. He did not appear despite proclamation. The order of declaring the petitioner as proclaimed offender was not challenged before any court. Therefore, it has become final. The matter has been examined by two courts below. Therefore, there is no illegality or perversity in the findings recorded by both the courts below. Thus, there is no ground to interfere in the same.

Accordingly, the present revision petition stands dismissed.

**(KULDIP SINGH)**  
**JUDGE**

**June 02, 2016**  
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