

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

CRM-M No. 2054 of 2017

Date of Decision: 15.03.2017

Balwinder Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. A.S. Brar, Advocate
for the petitioner.

Ms. Rimplejeet Kaur, A.A.G, Punjab.

RAJ MOHAN SINGH, J. (oral)

Petitioner has challenged order dated 09.11.2015 passed by Judicial Magistrate Ist Class, Moga in a criminal complaint under Section 19 (1) (a) of Fertilizer (Control) Order, 1985 and under Section 7 and 12 AA of Essential Commodities Act, 1955 vide which the petitioner was declared to be proclaimed person.

Learned counsel for the petitioner submitted that the petitioner had shifted to New Zealand in the year 2008. The relevant entry was made with seal dated 24.07.2008 on the passport of the petitioner. The complaint under the Fertilizer (Control) Order and Essential Commodities Act came to be filed on 19.05.2010 in which summoning order came to be passed on 19.05.2010 itself. In the summoning order itself, necessary endorsement was made to the effect that respondents No.1,2,4,5,6 and 7 were served. Respondent No.3 was found to be out of country and respondent No.8 was unserved. Co-accused faced the trial. After framing of charges vide judgment dated 06.10.2016 passed by Judicial Magistrate Ist Class, co-accused have been acquitted of the offences.

Learned counsel further contends that the petitioner has come to India and wants to join the proceedings.

Since, the petitioner was declared a proclaimed person, petitioner is directed to appear before the trial Court on 22.03.2017 and in the event of his appearance, he shall be

granted bail to the satisfaction of the trial Court. Petitioner shall face the trial in accordance with law.

Petition stands disposed of.

(RAJ MOHAN SINGH)
JUDGE

15.03.2017
jyoti Y.

Whether Reasoned/Speaking	Yes/No
Whether Reportable	Yes/No