

CRM No. M-31600 of 2017

1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M-31600 of 2017
Date of Decision : 25.08.2017

Mukesh Kumar

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. B.S. Tewatia, Advocate for the petitioner.

Anupinder Singh Grewal, J.(Oral)

The petitioner is assailing the order dated 05.07.2017 (Annexure P-6) passed by Chief Judicial Magistrate, Palwal, whereby, he has been declared as proclaimed person.

The petitioner is an accused in FIR No. 680, dated 19.11.2015, under Sections 363-A, 506, 34 IPC and Sections 25,54,59 of Arms Act. Learned counsel for the petitioner contends that the petitioner is not named in the FIR and has been arraigned as an accused on the disclosure statement of the co-accused. He also contends that the petitioner has been declared as a proclaimed person without having been served at the address at which he is residing. Learned counsel further states that the matter has been compromised and has referred to copy of the compromise deed annexed as Annexure P-2. He also states that the petitioner is willing to surrender before the trial Court and he should be protected from arrest. In support of his contentions,

he has placed reliance upon a judgment of a Coordinate Bench of this Court in CRM No. M-4738 of 2014, titled as *Mainuddin and others Vs. State of Haryana and others*, decided on 19.02.2014, whereby accused, who were proclaimed offenders in FIR No. 128, dated 09.05.2011, under Sections 363, 366, 376(g), 34 IPC, were protected from their arrest in the eventuality of their surrendering.

Therefore, the petition is disposed of with a direction that in case the petitioner surrenders before the trial Court within a period of 15 days from today, he shall be granted provisional bail subject to satisfaction of the trial Court.

August 25, 2017
kanchan

(ANUPINDER SINGH GREWAL)
JUDGE

<i>Whether speaking/reasoned?</i>	<i>Yes/No</i>
<i>Whether reportable?</i>	<i>Yes/No</i>