

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

CRM-M-32728-2017

Date of decision: 05.09.2017

Parwinder Singh

.... Petitioner

versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Sunil Agnihotri, Advocate
for the petitioner.

Anupinder Singh Grewal, J.

The petitioner is seeking quashing of order dated 21.07.2016 passed in FIR No.74 dated 11.10.2014 under Sections 279/379/427 IPC and Section 21 of Mine Mineral Act, 1957 registered at Police Station Joga District Mansa whereby the petitioner has been declared as Proclaimed Offender.

Learned counsel for the petitioner contends that the petitioner was not named in the FIR. The other accused, who are being named in the FIR, were acquitted by the trial Court on 06.03.2017. He further contends that the petitioner is a driver employed in the State of Gujarat for the last several years but the proclamation and warrants were served at his address in his ancestral village in District Hoshiarpur.

Issue notice to the respondent.

At the asking of Court, Ms. Rajni Gupta, Sr. DAG, Punjab accepts notice on behalf of the respondent-State.

The petitioner is stated to be a driver working in the State of Gujarat and has been allegedly served at his address in his ancestral village. The other co-accused, who were named in the FIR, were acquitted by the trial Court vide judgment dated 06.03.2017 (Annexure P-2).

Consequently, the present petition is allowed and the impugned order dated 21.07.2016 is set aside. The petitioner shall appear before the trial Court within a period of 15 days and submit his bail/surety bonds to its satisfaction. It is made clear that in case the petitioner does not appear before the trial Court within 15 days, this order shall be deemed to have been vacated.

05.09.2017
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(ANUPINDER SINGH GREWAL)
JUDGE

1. Whether speaking/reasoned?	Yes
2. Whether reportable?	Yes/No