

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

CRM No.M-4481 of 2016

Date of decision: 08.09.2017

Prem Singh Premi

....Petitioner

Versus

Sarita and another

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Rahul Vats, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana
for respondent No.2.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for setting-aside the impugned order dated 13.07.2015 vide which the petitioner was declared as a proclaimed offender.

Counsel for the petitioner has submitted that the petitioner has already appeared before the trial Court and he has been granted bail. He has further submitted that the petitioner is regularly appearing before the trial Court. It is further submitted on behalf of the petitioner that before declaring the petitioner to be a proclaimed offender, no service upon the petitioner was got effected as he was not an ordinary resident of the addresses given in the complaint and he is resident of Village Gehlav @ Gehlab, Tehsil Hathin, District Palwal and, therefore, no proper procedure under Section 82 Cr.P.C. was followed before declaring the petitioner as proclaimed offender.

Heard.

In view of the fact that the petitioner is already putting in

appearance before the trial Court and he has been granted regular bail, the present petition is allowed and the impugned order dated 13.07.2015 passed by the Judicial Magistrate Ist Class, Faridabad is set-aside.

(ARVIND SINGH SANGWAN)
JUDGE

08.09.2017
yakub

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No