

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

CRM-M-45479-2017

Date of decision: 21.12.2017

Jasbinder Lal @ Jaswinder Lal

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Surinder Thakur, Advocate
for the petitioner.

Mr. A.S. Gill, Sr. DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for quashing of the order dated 07.11.2016 (Annexure P-2) passed by the trial Court, vide which the petitioner was declared as proclaimed person, in FIR No.93 dated 24.03.2009 under Sections 324, 325, 148, 149 IPC, registered at Police Station Sadar Hoshiarpur.

Learned counsel for the petitioner submits that in pursuance to the order dated 30.11.2017, the petitioner has appeared before the trial Court and deposited the amount of costs of Rs.25,000/- with the District Legal Services Authority, Hoshiarpur. Counsel for the petitioner further submits that the petitioner was declared as proclaimed person vide order dated 07.11.2016 and at that time, he was not residing in India, as he has gone abroad in the year 2015 for a job. It is submitted that four co-accused of the

petitioner namely Mangat Ram, Manohar Lal, Pakhar Ram and Lakhvir Singh have already been acquitted by the trial Court vide judgment dated 01.03.2017. It is further submitted that the proclamation against the petitioner under Section 82 Cr.P.C. was not made at the place, where he was residing ordinarily.

In view of the above, this petition is allowed and the impugned order dated 07.11.2016 (Annexure P-2), declaring the petitioner as proclaimed person, is set aside.

[ARVIND SINGH SANGWAN]
JUDGE

21.12.2017
vishnu

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