

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-5222 of 2016

DATE OF DECISION: July 5, 2017

Rajeev Kumar Nagiya

...Petitioner

versus

State of Haryana and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr.H.S.Brar, Advocate for the petitioner.
Mr.Arun Kumar, AAG, Haryana.

JITENDRA CHAUHAN, J.(ORAL)

Learned counsel for the petitioner submits that he does not wish to press the petition with regard to quashing of FIR. Ordered accordingly.

Learned counsel for the petitioner submits that the petitioner has been declared as proclaimed offender vide order dated 12.7.2010 without effecting service upon him and summons do not carry the name and surname of the petitioner.

Learned State counsel submits that in the investigation, no incriminating evidence could be collected against the petitioner and he was declared innocent.

In view of the above, coupled with the fact that in the absence of any positive evidence of service, the order dated 12.7.2010 declaring the petitioner as proclaimed offender is quashed.

However, the petitioner is directed to surrender before the trial Court within a period of two weeks from today. On his appearance before the trial Court, he shall be released on bail on furnishing adequate bail and surety bonds to its satisfaction.

The present petition is allowed to the extent indicated above.

July 5, 2017
KD

(Jitendra Chauhan)
Judge

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