

CRM-M-601-2017(O&M)
Date of decision: 14.09.2017

Sandeep Kumar ...Petitioner
Versus
State of Punjab and another ...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Ashish Aggarwal, Advocate, for the petitioner.

Mr. Randeep Singh Khaira, AAG, Punjab.

Mr. Sarbjit Singh, Advocate, for respondent No.2.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for quashing of the impugned order dated 29.11.2016 (Annexure P-4), vide which the petitioner was declared a proclaimed offender.

Learned counsel for the petitioner submits that in pursuance to the order dated 12.01.2017, the petitioner has already put in appearance before the trial Court and released on interim bail and is regularly attending the Court, subsequently. It is further submitted that the petitioner was never served with the summons of the trial Court as he was not residing at the given address mentioned in the complaint and, therefore, the entire proceedings of declaring him as proclaimed offender is not in accordance with Sections 82 or 83 Cr.P.C. The factual position is not denied by learned counsel appearing for the complainant.

Considering the fact that the petitioner has already put in appearance before the trial Court and was not served with the summons in the present case, the impugned order dated 29.11.2016 (Annexure P-4), is set aside.

This petition is accordingly, disposed of.

**(ARVIND SINGH SANGWAN)
JUDGE**

14.09.2017

Hemlata

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