

CRM-M-8316-2017(O&M)
Date of decision: 14.09.2017

Baldev Singh ...Petitioner
Versus
State of Punjab and another ...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. R.K.Trikha, Advocate, for the petitioner.
Mr. Randeep Singh Khaira, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for setting aside the order dated 12.09.2016, vide which the petitioner was declared a proclaimed offender by the trial Court.

Learned counsel for the petitioner submits that the respondent-complainant had filed a complaint on 10.08.2009 with allegation that occurrence took place on 04.07.2009. The trial Court vide its order dated 04.08.2015 (Annexure P-3), summoned the petitioner whereas, the petitioner had already left India for United Arab Emirates (UAE) on 10.04.2014 i.e. well before the passing of the summoning order dated 04.08.2015. It is further submitted that the impugned order declaring the petitioner as proclaimed offender and the proceedings initiated by the trial Court were not in accordance with Sections 82 and 83 Cr.P.C. as the petitioner was never served.

Learned counsel for the petitioner further submits that the petitioner has already been granted anticipatory bail, vide order dated 03.08.2017 passed in CRM-M-9036 of 2017 and he has already put in appearance before the trial Court and is regularly facing the trial.

In view of submission made above, the impugned order dated 12.09.2016 is set aside.

Petition stands disposed of.

(ARVIND SINGH SANGWAN)
JUDGE

14.09.2017
Hemlata

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