

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

**CRM-M No. 22051 of 2018
Decided on: 23.05.2018**

Raman Kumar

.....Petitioner

versus

State of Punjab

.....Respondent

Coram: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. N.S.Dandiwal, Advocate
for the petitioner.

ANUPINDER SINGH GREWAL, J.(Oral)

The petitioner is seeking quashing of the impugned order dated 15.01.2018 (Annexure P-3) whereby he has been declared as proclaimed person.

It is the case of the petitioner that FIR No. 269 dated 22.12.2014 under Section 379 of IPC was registered against him at Police Station City Moga, District Moga on the allegations that he had borrowed a mobile phone from the complainant on the pretext of talking to his mother and, thereafter, he ran away with the mobile phone.

Learned counsel for the petitioner contends that the petitioner had earlier been released on regular bail. However, he could not appear before the Trial Court on 03.08.2017 and consequently, proceedings for declaring him as a proclaimed person were initiated against him leading to passing of the impugned order. He further

contends that the petitioner is a drug addict and was undergoing treatment in Rehabilitation Centers, firstly at Ganga Nagar and later at Patiala. The petitioner is not involved in any other case.

Heard.

The petitioner had absented from the Trial Court on 03.08.2017 and did not choose to appear, thereafter, on any date although proceedings for declaring him as a proclaimed person were initiated by the Trial Court. Even if he was undergoing treatment in Rehabilitation Center, there is nothing on record which would suggest that the petitioner was not in a position to appear before the Trial Court. The impugned order has been passed after duly complying with the procedure prescribed under Section 82 of Cr.P.C. Therefore, no interference therewith is called for by this Court while exercising jurisdiction under Section 482 of Cr.P.C. However, in case, the petitioner surrenders before the Trial Court and moves an application for regular bail, the same would be decided by the Trial Court in accordance with law expeditiously.

The petition stands disposed of accordingly.

23rd May, 2018

shabha

(ANUPINDER SINGH GREWAL)
JUDGE

<i>Whether speaking/reasoned</i>	-	<i>Yes/No</i>
<i>Whether reportable</i>	-	<i>Yes/No</i>