

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-26182-2018 (O&M)

Date of Decision:- 2.7.2018

Gurdial Singh

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Pankaj Maini, Advocate for the petitioner.

GURVINDER SINGH GILL, J. (Oral)

The petitioner assails order dated 7.4.2018 whereby he has been declared as a proclaimed offender consequent upon proclamation having been issued on account of his absence and on account of the fact that the Non Bailable Warrants which had been issued repeatedly for securing his presence remained unexecuted.

The learned counsel for the petitioner submits that the address of the petitioner, as mentioned in order dated 7.4.2018 is not the correct address and it was on account of the said fact that the Non Bailable Warrants remain unexecuted.

I have considered the aforesaid submission.

A perusal of the zimni orders annexed with the petition indicates that in the case titled as 'State Vs. Gurdial Singh' the petitioner had been appearing before the trial Court inasmuch as in order dated 7.8.2015 it

is specifically recorded that his counsel Mr. H.S.Pathania, Advocate appeared for accused Gurdial Singh. However, subsequently the accused absented and the Non Bailable Warrants were issued for securing his presence which remained unexecuted. It is not the case that the accused did not have knowledge about the pendency of the case as he had been represented in the said case. In these circumstances his absence from the proceedings is unjustified. Consequently, this Court does not find any ground to interfere in order dated 7.4.2018.

There is no merit in this petition and the same is hereby dismissed.

July 2, 2018

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**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No