

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

263

CRM-M-30135-2016

Date of Decision:16.08.2018

Stephen Bhatti @ Henry Stephen

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. Ranjivan Singh, Advocate,
for the petitioner.

Mr. Rana Harjasdeep Singh, D.A.G., Punjab.

HARI PAL VERMA, J.(Oral)

Petitioner has filed the present petition under Section 482 Cr.P.C. for quashing the impugned order dated 23.02.2016 (Annexure P-2) passed by learned Judicial Magistrate 1st Class, Batala, whereby he was declared proclaimed offender for his non-appearance in the Court. The order dated 23.02.2016, reads as under:-

“Proclamation under Section 82 of Cr.P.C. against accused Stephan Bhatti was issued on 11.01.2016 and the statement of P.H.C. Harjinder Singh was recorded on 20.01.2016 that he has affixed the proclamation on 18.01.2016. The requisite period of 30 days has been expired but accused Stephan Bhatti has not appeared in the Court despite repeated calls since morning. So, accused Stephan Bhatti is declared as proclaimed offender. Intimation regarding this be sent to the concerned Police Station. Now to come upon for 24.02.2016 for defence evidence by remaining accused persons if any and for arguments.”

Learned counsel for the petitioner has brought to the notice of this Court order dated September 09, 2016 passed in CRM-M-30162-2016, whereby his anticipatory bail petition in FIR No.290 dated 26.08.2016, under Sections 419, 420, 465, 467, 468, 471 and 120-B IPC, Police Station City Batala, District Gurdaspur, was disposed of with the direction to the petitioner to appear/surrender before the Chief Judicial Magistrate/Duty Magistrate and move an application for bail. Learned Magistrate was further directed to deal with the said application and disposed of the same within a period of 07 days from the date of its presentation.

Learned counsel for the petitioner states that pursuant to order dated September 09, 2016 passed by this Court, petitioner has appeared before the trial court and is admitted on bail and as on date he is on bail.

In view of the statement so made by learned counsel for the petitioner, the present petition is dismissed as having been rendered infructuous.

August 16, 2018
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(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No