

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

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**CRM-M No.50917 of 2018.
Date of Decision: 19.11.2018**

Karnail Singh

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Damanjeet Bhoriwal, Advocate for the petitioner.

Shekher Dhawan, J.

Present petition under Section 482 of the Criminal Procedure Code (for short, 'Cr.P.C.') is for quashing of order dated 04.09.2017 (Annexure-P6), vide which the petitioner was declared as a 'proclaimed offender'.

Learned counsel representing the petitioner contended that as per Section 82(4) Cr.P.C., the petitioner could not have been declared as proclaimed offender for the offence under Section 15 of the N.D.P.S. Act and at the best he could be declared as a proclaimed person only.

However, it is not disputed that the petitioner was not appearing in the Court and warrants of arrest were issued and thereafter proclamation was issued. All these pleas can be raised by the petitioner by appearing before learned Magistrate where warrants of arrest have been issued against him and thereafter proclamation has been issued. However, in case, the petitioner surrenders before learned Magistrate, his application for bail shall be decided by learned Magistrate within a period of one week.

With the afreosaid observations and direction, the present petition is disposed of.

(SHEKHER DHAWAN)
JUDGE

19.11.2018
jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No