

**210/2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-51799-2018

Date of decision: December 18, 2018

Harjit Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Saransh Sabharwal, Advocate for
 Mr. Sant Pal Singh Sidhu, Advocate
 for the petitioner.

 Mr. V.G. Jauhar, Senior DAG, Punjab.

RAJ SHEKHAR ATTRI, J.(ORAL)

The petitioner has preferred the instant petition under Section 482 of Code of Criminal Procedure, for quashing the impugned order dated 22.03.2017 passed by learned Sub Divisional Judicial Magistrate, Sultanpur Lodhi, District Kapurthala vide which he has been declared as proclaimed person in case bearing FIR No.57 dated 09.09.2015, registered under Sections 323, 324, 325, 341, 506, 148, 149 of the Indian Penal Code, 1860 at Police Station Talwandi Choudhrian, District Kapurthala.

It has been submitted that the provisions of Section 82 of the Code of Criminal Procedure for declaring the petitioner proclaimed person has not been followed.

Petitioner has already surrendered before the learned trial court.

In this view of the matter, impugned order dated 22.03.2017 is not sustainable in the eyes of law and the same is *set aside*.

**(RAJ SHEKHAR ATTRI)
JUDGE**

December 18, 2018

m. sharma

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