

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

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Crl. Misc. No.M-10108 of 2019

Date of Decision:- 05.03.2019

Subham

...Petitioner

vs.

U.T., Chandigarh

...Respondents

CORAM:- HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr. Atul Lakhanpal, Sr. Advocate with
Mr. Arvinder Singh, Advocate,
for the petitioner.

SUDHIR MITTAL, J. (Oral)

The petitioner is aggrieved because vide order dated 4.7.2018 passed by Sh. Kushal Singla, Judicial Magistrate Ist Class, Chandigarh, he has been declared as proclaimed offender.

Learned senior counsel for the petitioner submits that the notices, warrants and proclamation have been issued against a person known as Shivam son of Satish Kumar whereas the petitioner is Subham son of Jagdish Chander. That apart, the address has also been wrongly mentioned. Thus, the order dated 4.7.2018 declaring the petitioner proclaimed offender, is illegal.

Notice of motion.

Mr. Gautam Dutt, learned standing counsel for the U.T., Chandigarh, accepts notice. Let two copies of the complete paper book be supplied to him during the course of day.

Keeping in view the fact that the name of the petitioner has been wrongly mentioned, impugned order dated 4.7.2018 declaring him proclaimed

offender is patently illegal and the same is, thus, set aside.

The petition is disposed of and the petitioner is directed to surrender before the trial Court on or before 11.3.2019 and seek regular bail. In case, such an application is filed, the trial Court is directed to allow the same, subject to its satisfaction.

Meanwhile, the petitioner shall not be arrested.

March 05, 2019
poonam

(SUDHIR MITTAL)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No