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

**C.R.M-M No.18085 of 2017 (O&M)
Date of Decision : 01.04.2019**

Gurvinder Singh

..... Petitioner

versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. N.P. Bhardwaj, Advocate
for the petitioner.

Mr. Gaurav Bansal, A.A.G., Haryana.

Mr. Rajinder Goyal, Advocate
for respondent No.2.

AJAY TEWARI, J. (Oral)

Prayer in the present petition filed under Section 482 of the Cr.P.C. is for quashing the order dated 25.05.2005 passed by the SDJM, Guhla in criminal complaint No.189/2002 dated 12.06.2002 under Sections 323, 324, 325, 326, 452, 506, 34 IPC whereby the petitioner was declared proclaimed offender.

The primary ground taken is that the procedure under Section 82 Cr.P.C. was not followed and in fact even before the summons were issued in the private complaint the petitioner had gone abroad and he has been staying abroad since 2003.

Counsel for the complainant-respondent No.2 states that in this

case all the co-accused have been convicted and their conviction have been upheld right upto this Court and he would have no objection in case PO order is quashed but on the condition that petitioner should come and face the trial.

Counsel for the petitioner states that the petitioner shall appear before the trial Court on 01.07.2019 and is ready to face trial.

Consequently, the petition is disposed of with a direction to the petitioner to appear before the trial Court on 01.07.2019 who shall release him on bail to its satisfaction. In case he does not appear the PO order would be revived and the petition would be deemed to be dismissed.

Since the main case has been decided, the pending Criminal Misc. Application, if any, also stands disposed of.

April 01, 2019
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No