

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

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CRM-M-13062-2019

Date of Decision : 08.04.2019

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..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Inderjeet Singh, Advocate
for the petitioner

Mr. Surinder Singh, A.A.G., Haryana.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 482 Cr.P.C. for quashing of order dated 28.02.2017 declaring the petitioner as proclaimed offender under Section 82 Cr.P.C. in FIR No.31 dated 12.02.2016 registered under Sections 148, 149, 186, 323, 325, 379, 506 IPC and for quashing of subsequently registered FIR No.182 dated 26.11.2018 for offence under Section 174-A IPC at Police Station Chhachhrauli, District Yamuna Nagar.

Reply filed by way of affidavit of Sudhir Taneja, HPS, Deputy Superintendent of Police, Jagadhri, Yamuna Nagar on behalf of the respondent – State is taken on record. Copy has been supplied.

The primary ground taken is that instead of giving 30 days notice only 12 days notice was given as the proclamation was issued on 18.01.2019 and the petitioner was asked to appear on 30.01.2019.

Learned Assistant Advocate General is not in a position to deny these factual assertions.

Counsel for the petitioner states that the petitioner has no objection to appear before the trial Court and face trial.

In the circumstances, it is directed that in case the petitioner surrenders before the trial Court on or before 19.04.2019, the order dated 28.02.2017 declaring the petitioner as proclaimed offender in FIR No.31/2016 (Annexure P-1) and the subsequent FIR No.182/2018 (Annexure P-7) shall stand quashed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

April 08, 2019
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No