

CRM-M-28492 of 2017

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

CRM-M-28492 of 2017
Date of Decision: 22.05.2019

Ash Mohammad

...Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Amandeep Rana, Advocate, for the petitioner.
Mr. Raj Kumar Makkar, Sr. DAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Through instant petition under Section 482 Cr.P.C. prayer has been made for quashing orders dated 26.10.2016 (Annexure P-5) and 14.12.2016 (Annexure P-6) of the learned Judicial Magistrate Ist Class, Gurgaon, in case FIR No.633 dated 24.12.2015 registered under Sections 420, 467, 468, 471 & 120-B IPC at Police Station Palam Vihar, District Gurgaon, whereby petitioner has been declared proclaimed offender under Section 82 Cr.P.C.

Learned State counsel, on instructions from ASI Ashok Kumar, submits that pursuant to order dated 04.08.2017 petitioner has surrendered before the trial Court and has joined the investigation. However, final report under Section 173(2) Cr.P.C. has not been filed till date. Same shall be filed in Court within one month.

Since petitioner has appeared before the trial Court and has complied with order dated 04.08.2017, therefore, order dated 26.10.2016

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(Annexure P-5) for proceeding against the petitioner to declare him proclaimed offender under Section 82 Cr.P.C. and order dated 14.12.2016 (Annexure P-6) of the learned Judicial Magistrate Ist Class, Gurgaon, declaring him proclaimer offender are quashed.

Petition is accepted in toto.

May 22, 2019
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No