

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

**CRM-M-25134-2019
Decided on : 29.05.2019**

Harjinder Singh

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Joginder Pal Devgan, Advocate
for the petitioner(s).

MANJARI NEHRU KAUL, J. (Oral)

Prayer in the petition under Section 482 Cr.PC for quashing of the impugned order dated 23.07.2014 (Annexure P-3) passed by learned Judicial Magistrate 1st Class, Bahadurgarh (in short 'JMIC') whereby the petitioner has been declared as Proclaimed Offender in case FIR No.16, dated 22.03.2014, registered under Sections 382, 511, 427 IPC and 25/54/59 of the Arms Act, 1959, at Police Station Valtoha, District Tarn Taran.

2. Learned counsel for the petitioner submits that the petitioner is a retired Indian Army soldier, however, at the time of passing of the impugned order dated 23.07.2014 (Annexure P-3) he was on duty. Hence, the learned JMIC, Bahadurgarh erroneously declared the petitioner as Proclaimed Offender vide order dated 23.07.2014 (Annexure P-3). The absence of the petitioner is neither willful nor intentional and he is ready to appear before the trial Court/Illaq Magistrate.

3. Notice of motion.

4. On the asking of Court, Mr. A. A. Pathak, Addl. AG, Punjab, who is present in Court, accepts notice on behalf of the respondent-State. Let a copy of the complete paper book be supplied to the learned State counsel during the course of the day.

5. Keeping in view the submission made above, petitioner is directed to appear before the trial Court/Illaq Magistrate on or before 04.06.2019 and on his appearance, the trial Court shall consider his prayer for bail in accordance with law.
6. Accordingly, the present petition stands disposed off.

(MANJARI NEHRU KAUL)
JUDGE

May 29, 2019

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*