

139.

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

CRM-M-1836-2020

Date of decision: 20.01.2020.

ALOK

... Petitioner

versus

STATE OF HARYANA AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Rajesh Khandelwal, Advocate,
for the petitioner.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing the impugned order dated 20.01.2018 (Annexure P-4) in case FIR No.382 dated 14.05.2015 registered under Sections 406, 498-A, 323 and 34 of IPC at Police Station Hisar Civil Lines, Hisar, vide which, petitioner has been declared proclaimed person without following due procedure of law.

Learned counsel for the petitioner states that the petitioner was never served in the case as he was residing in Gurgaon, whereas the proclamation was done in his village Umedpura, Tehsil Ellnabad, District Sirsa. However, it being a matrimonial dispute, the petitioner is ready to appear before the trial Court and to face proceedings in accordance with law.

Notice of motion only to respondent No.1 at this stage.

At the asking of the Court, Ms. Gaganpreet Kaur, AAG, Haryana., accepts notice on behalf of respondent No.1-State.

Let a copy of paper book be given to learned State counsel during the course of the day.

The petitioner was declared PO on 20.01.2018 by the learned Judicial Magistrate Ist Class, Hisar. It being a matrimonial dispute between the parties and noticing the fact that the petitioner has shown his inclination to appear before the trial Court and to face trial in accordance with law, the present petition is disposed of with a direction that in case the petitioner surrenders/appears before the trial Court within 15 days from today and gives an undertaking to face trial in accordance with law, he shall be admitted on bail subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court, provided there is no other case against him, however, that would be subject to payment of Rs.5,000/- to be deposited in the High Court Lawyers' Welfare Fund.

(HARI PAL VERMA)
JUDGE

20.01.2020
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No