

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

**CRM-M No.6315 of 2020
Date of Decision: 13.02.2020**

Jagdev Singh

..... Petitioner

Versus

State of U.T. and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Narinder Singh Dadwal, Advocate,
for the petitioner.

SUDIP AHLUWALIA, J. (ORAL)

Ld. Counsel for the petitioner submits *inter alia* that, at no point, any process was ever served upon the petitioner as can be seen from the *zimni* orders passed by the Ld. Trial Court [Annexure P-3 (Colly)].

2. He further submits that proclamation proceedings were drawn up and the petitioner was declared a proclaimed offender, merely on conjectures when in fact, there was never any service or execution return to the effect that he had been willfully avoiding the processes and that, in any event, the petitioner undertakes to surrender before the Ld. Court below.

3. In such circumstances, this Court is of the view that notice need not be issued upon the respondent as that process would entail unnecessary delay.

4. Therefore, the present petition is disposed off, after quashing the impugned order dated 15.10.2018 (Annexure P-1), with liberty to the petitioner to surrender before the Ld. Court below within a period of 10

days from today, after which, the Court shall revive the trial proceedings and proceed in accordance with law.

13.02.2020

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(SUDIP AHLUWALIA)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No