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

CRM-M-23172-2020 (O&M)

Date of Decision: 18.09.2020

Gurnam Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Atul Goyal, Advocate,
for the petitioner.

SUDIP AHLUWALIA, J. (ORAL)

CRM-23224-2020

Applicant-petitioner is permitted to place on record a copy of his Passport as Annexure P-5.

Application stands disposed off.

CRM-M-23172-2020

[1]. Notice of motion.

[2]. Mr. A.S. Sandhu, Additional Advocate General, Punjab to accept notice on behalf of the respondent-State. Let a copy of the Paper-book be supplied to him.

[3]. Ld. Counsel for the petitioner draws attention of the Court to the FIR which was drawn up on 11th of December, 2014 and to his Passport, from which, it is ascertained that he had left India for Ghana, almost 6 months prior to that on 19th June, 2014. He thereafter returned and went back again on 22nd September of the following year and finally returned to India on the 20th January, 2016, after which, he took up a job in Delhi where

he remained engaged till 31st March, 2020, as can be seen from the Certificate issued by his employer (Annexure P-4).

[4]. Contends further that the proclamation order was passed against him on 24th March, 2016 when the petitioner was based in Delhi and had no knowledge of the proceedings prior to that.

[5]. From the version made out by the petitioner which is supported by the documents on record, this Court finds it a fit case to enable him to face trial in accordance with law.

[6]. Consequently, the impugned order by which he was declared a Proclaimed Offender is set aside and the petitioner is granted liberty to surrender before the Trial Court within a fortnight from date and to seek an appropriate remedy in accordance with law.

[7]. Disposed off.

18.09.2020

Bhumika

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No