

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH
CRM-M No. 25108 of 2020
Date of decision : August 31, 2020

(Through Video Conferencing)

Tajinder Singh Dhaliwal

..... **Petitioner**

Versus

State of Punjab

..... **Respondent**

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Arshdeep Singh Brar, Advocate
for the petitioner.

Manjari Nehru Kaul, J (oral).

The present petition has been filed under Section 482 Cr.P.C for setting aside the impugned order dated 11.2.2019 (Annexure P-2) passed by the Sub Divisional Judicial Magistrate, Nihal Singh Wala vide which the petitioner was declared proclaimed offender in case FIR No.35 dated 6.4.2018 under Sections 419,420,465,468 IPC and 12(1)-B of Passport Act, 1967 registered at Police Station BadhniKalan, District Moga.

Learned counsel for the petitioner contends that the petitioner was not aware about the registration of the FIR in question and further the procedure as envisaged under Section 82 Cr.P.C. was not followed while declaring the petitioner a Proclaimed Offender. He further contends that he is ready to appear and surrender before the court below and face trial.

In the circumstances, it has been submitted that the petitioner may be granted interim protection. Further, he undertakes to appear before the learned trial Court to face trial.

On the asking of Court, Ms. Samina Dhir, DAG., Punjab who has joined the proceedings through video conferencing accepts notice on behalf of the State.

Heard.

The petitioner is directed to surrender before the trial Court/Illaq Magistrate on or before 9th September, 2020. Meanwhile, till the surrender of the petitioner before the trial Court/Illaq Magistrate, no coercive steps shall be taken against him by the police. However, on his appearance before the Court concerned, the trial Court shall proceed against him in accordance with law. In case the petitioner fails to surrender before the trial court as directed, this order shall be of no avail to him.

Disposed of.

(MANJARI NEHRU KAUL)
JUDGE

August 31, 2020
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No