

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of decision: 16.01.2020

1. CRM-M-54293-2019 (O&M)

Anil

... Petitioner

Vs.

State of Haryana and another

... Respondents

2. CRM-M-54299-2019 (O&M)

Anil

... Petitioner

Vs.

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Keshav Pratap Singh, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in **CRM-M-54293-2019** is for quashing of the order dated 04.11.2019 passed by the trial Court, vide which the petitioner has been declared as proclaimed offender in complaint No.RBT-78 of 2015 dated 02.09.2015 under Sections 323, 324, 452, 506 IPC as well as all the subsequent proceedings arising therefrom and prayer in **CRM-M-54299-2019** is for grant of anticipatory bail in the aforesaid complaint.

Learned counsel for the petitioner submits that the petitioner was

summoned by the trial Court in the aforesaid complaint along with co-accused vide order dated 11.03.2019. It is further submitted that all the accused persons are real brothers and brothers of the petitioner have already been granted the concession of anticipatory bail and are facing the trial. Learned counsel further submits that the petitioner was not served with the summons at his ordinary place of residence and without waiting for expiry of 30 days mandatory period, he was declared as proclaimed offender. It is also submitted that the petitioner is ready to appear before the trial Court and face the trial.

No one has put in appearance on behalf of respondent No.2-complainant Nagender.

Learned State counsel has no objection if the prayer of the petitioner is accepted.

Considering the fact that the complaint was filed by respondent No.2, in which the petitioner was initially summoned and two of his co-accused have already been granted the concession of anticipatory bail by the Court of Sessions and are facing the trial, the impugned order dated 04.11.2019 passed by the trial Court, declaring him as proclaimed offender, is set aside.

The petitioner is directed to surrender before the trial Court within a period of 15 days from today and the trial Court will release him on interim bail subject to his furnishing bail/surety bonds.

Accordingly, both these petitions are disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

16.01.2020
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No