

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

207/2

CRM-M-22410-2021

Date of decision : 24.11.2021.

Shahjad Khan

... Petitioner

Versus

State of Haryana

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Ms. Rozy, Advocate for the petitioner.

Mr. Kirpal Singh Thakur, AAG, Haryana.

Anupinder Singh Grewal, J. (Oral)

The petitioner has challenged the order dated 19.11.2015 (Annexure P-2) passed by the trial Court whereby he has been declared as a proclaimed person.

Learned counsel for the petitioner contends that the petitioner was not residing at the address where he was allegedly served and had shifted his residence after his second marriage which was not acceptable to his parents. She further contends that she has filed the documents including copies of the electricity bill, registration certificate and the insurance policy of the petitioner as Annexures P-3 to P-5 respectively in connected petition bearing CRM-M-22046 of 2021, indicating that the petitioner had indeed changed his residence.

Learned State counsel, however, contends that the petitioner had been duly served at his known address and the procedure as laid down under Section 82 of Cr.P.C. was duly followed before passing the impugned order.

Heard.

The petitioner is an accused in FIR No.31 dated 27.01.2012, under Sections 419, 420, 467, 468, 471, 120-B IPC registered at Police Station Sohna, District Gurugram as it is alleged that the petitioner had impersonated as Vedi s/o Fituri and sold his land. Vedi s/o Fituri had expired on 16.06.1968 and the FIR was lodged by his widow.

A perusal of the impugned order shows that the warrant of arrest and the proclamation have been issued at the known address of the petitioner. After thirty days of the proclamation, the impugned order has been passed on 19.11.2015 and the documents which the petitioner has now filed indicating that he had changed his residence including registration certificate (Annexure P-4) pertains to the year 2019 while the electricity bill and the insurance cover note are of the year 2019 and 2020 respectively. The petitioner has not been able to substantiate his averments that he had changed his residence in the year 2015 when the proclamation was issued and the impugned order was passed.

In view of the above, I do not find any illegality in the impugned order declaring the petitioner as a proclaimed person.

Consequently, the petition stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

November 24, 2021

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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No