

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-37712-2021 (O&M)

Date of Decision:- 25.10.2021

Ravi Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Kanwar Pahul Singh, Advocate, for the petitioner.

Ms. Isha Goyal, Advocate, for the complainant.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

CRM-33918-2021

By way of filing this application, the petitioner seeks permission to place on record certified copy of proclamation notice issued on 27.5.2019 along with its translation.

In view of the reasons mentioned in the application, the same is allowed and Annexure P-5 is taken on record subject to all just exceptions.

CRM-M-37712-2021 (O&M)

The petitioner assails order dated 29.8.2019 passed by learned Chief Judicial Magistrate, Amritsar, vide which he had been declared a 'Proclaimed Person', in respect of FIR No.147, dated 2.5.2016, Police Station Civil Lines, Amritsar, under Sections 420 and 120-B IPC.

Learned counsel for the petitioner submits that the summons/warrants were never sent at his correct address and that the same had been sent at his previous place of residence i.e. House No.2467, Gali No.1, Main Bazaar, Guru Nanak Nagar, Majitha Road, Amritsar, whereas he had shifted to another residence i.e. House No.918, Gali No.4, Majitha Road C/o Sunder Jeweller Guru Nanak Nagar, Amritsar-1, Amritsar, as has been incorporated in the Aadhar Card.

I have heard the learned counsel for the parties.

Though, a perusal of the Aadhar Card does indicate that the address mentioned therein is different from the address as mentioned in the proclamation notice, but this court finds that when the petitioner had moved an application seeking grant of anticipatory bail before the trial Court, he had mentioned his address as House No. 2467, Gali No.1, Main Bazaar, Guru Nanak Nagar, Majitha Road, Amritsar, i.e. the address as mentioned in the proclamation notice. As such, it is quite evident that the petitioner himself had disclosed his address to be the one which is mentioned in the proclamation notice and the same has to be taken as his correct address. The changed address, as mentioned in the Aadhar Card is apparently an after thought and the petitioner has probably got the same incorporated subsequently as the petitioner in his entire petition has not anywhere

specifically mentioned as to when the said change was made in the Aadhar Card. In these circumstances, the aforesaid contention regarding an incorrect address on the proclamation notice cannot be accepted and the same is repelled. No other infirmity could be pointed out of the impugned order and the same is hereby upheld. As such, the petition is hereby dismissed.

25.10.2021

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No