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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.42251 of 2021 (O&M)
Decided on: 15.12.2021

Kashmir Singh Gill

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. G.S. Kaura, Advocate
for the petitioner.

Ms. Gurkirat Kaur, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for setting-aside the order dated 31.08.2021 (Annexure P2) passed by the trial Court in FIR No.216 dated 08.09.2017 registered under Sections 447/448/427/120-B IPC (Section 29 of the SARFESI Act, 2002 added later) at Police Station Meharban, District Police Commissionerate, Ludhiana, vide which the petitioner was declared as proclaimed person.

The operative part of the order dated 14.10.2021, vide which interim bail has been granted to the petitioner, is reproduced as under:-

“....Counsel for the petitioner has argued that the petitioner is an old man aged about 70 years and he was on bail, however, he absented from the Court proceedings on 18.03.2020 and later on, vide impugned order dated 31.08.2021, he has been declared a proclaimed person without following the proper procedure laid down under

Section 82/83 Cr.P.C. Lastly, it is submitted that the petitioner is ready to appear before the trial Court and face the proceedings, in accordance with law.

Notice of motion.... ”

Counsel for the petitioner has submitted that, in pursuance to the order dated 14.10.2021, the petitioner has appeared before the trial Court and is released on interim bail.

Counsel for the State has not disputed the factual position.

Since the petitioner has put in appearance before the trial Court and has subjected himself to trial, the present petition is allowed and the order dated 31.08.2021, declaring the petitioner as proclaimed offender is set-aside.

Disposed of.

(ARVIND SINGH SANGWAN)
JUDGE

15.12.2021

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Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No