

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-849 of 2021
Date of decision:24.08.2022

Chamkaur Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Sumit Dua, Advocate
for the petitioner.

Mr. Madhur Sharma, AAG, Punjab.

SUVIR SEHGAL, J. (Oral)

Instant petition has been filed under Section 482 of the Code of Criminal Procedure (for short “the Code”) seeking quashing of order dated 05.10.2019 (Annexure P-1) passed by SDJM, Nihal Singh Wala in FIR No.58 dated 28.04.2019 registered under Sections 363, 366 of Indian Penal Code, 1860 at Police Station Nihal Singh Wala, District Moga, whereby, the petitioner has been declared Proclaimed Offender.

While issuing notice of motion on 08.01.2021, this Court directed the petitioner to surrender before the Trial Court and ordered that in case, he does so, he will be released on interim bail.

Upon instructions, State counsel submits that the petitioner has surrendered before the Trial Court and has joined the proceedings.

Heard.

The objective of Section 82 of the Code is to secure the presence of the accused. Once the accused joins the proceedings and cooperates with the Trial Court, he can no longer be described as absconder.

Consequently, petition is allowed. Order dated 05.10.2019 (Annexure P-1), whereby, the petitioner has been declared as Proclaimed Offender is set aside.

August 24, 2022

savita

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes/No