

CRM-M-13657-2022

Date of Decision:28.09.2022

RUPINDER SINGH

...Petitioner

VS

STATE OF PUNJAB AND ANOTHER

....Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Abhinav Singh, Advocate for
Mr. Sarju Puri, Advocate
for the petitioner.

Mr. Vipin Pal Yadav, Addl. A.G. Punjab.

Mr. Vijay Kumar, Advocate
for the complainant-respondent No.2.

SUVIR SEHGAL, J. (ORAL)

Instant petition has been filed under Section 482 of Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') for quashing of impugned order dated 26.08.2019, Annexure P-2, passed by learned Additional Chief Judicial Magistrate, SBS Nagar, whereby the petitioner has been declared as a proclaimed person, in case FIR No.71, dated 15.06.2017, registered for offence under Section 498-A IPC, 1860 at Police Station Rahon, District SBS Nagar.

Counsel for the petitioner submits that petitioner has surrendered before the trial Court in deference to the order dated 08.04.2022 passed by this Court and has deposited cost of Rs.25000/- with the Punjab and Haryana High Court Bar Association, (Benevolent Fund), Chandigarh.

Photocopy of the receipt has been placed by him on the record. He further submits that petitioner has been released on interim bail on his furnishing bail bonds of Rs.50,000/- along with one surety of the like amount.

The objective of the Section 82 of the Code of Criminal Procedure is to secure the presence of the accused. Once an accused appears before the trial Court, and joins the proceedings, he can no longer be described as an absconder. Consequently, impugned order deserves to be set aside.

Impugned order dated 26.08.2019, Annexure P-2, whereby petitioner has been declared as a proclaimed person is set aside.

Petition is disposed of.

(SUVIR SEHGAL)
JUDGE

September 28, 2022
P.Bhatt

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No