

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

**CRM-M-25495 of 2021
Date of Decision:- 20.05.2022**

Jasvir Singh @ Jassu

....Petitioner

Vs.

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. H.S. Randhawa, Advocate
for Mr. P.S Ahluwalia, Advocate
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

None for respondents No.2 & 3.

KARAMJIT SINGH, J.

On the last date of hearing the counsel for the petitioner while restricting his arguments, laid challenge only to order dated 10.10.2009, Annexure P-6, whereby, the petitioner was declared as proclaimed offender in case FIR No.184 dated 05.08.2008 registered at Police Station City Rajpura, District Patiala, under Sections 302, 307, 323, 324, 148 and 149 IPC, on the ground that the aforesaid order was not passed by the Court concerned in conformity with the provisions of Section 82 Cr.P.C. as clear 30 day notice was not given to the petitioner for his appearance before the court concerned w.e.f. date of publication

of proclamation. Learned counsel further contended that at the time of passing of aforesaid order, the petitioner was not available in India.

On the last date of hearing Mr. F.S. Virk, Advocate put in appearance on behalf of respondents No.2 and 3 and pleaded no objection if the petitioner was allowed to join the proceedings in the trial Court. Consequently, direction was given to the petitioner to appear before the learned trial Court within a period of 10 days and on doing so the petitioner was directed to be released on interim bail by the said Court to his own satisfaction till next date of hearing.

Today, the counsel for the petitioner submits that the petitioner has joined the proceedings in the trial Court in the light of aforesaid order. The copy of the order dated 02.04.2022 whereby the trial Court has marked the presence of the petitioner and accepted the bail bonds furnished by him, is produced by the counsel for the petitioner and the same is taken on record.

In view of the above, impugned order dated 10.10.2009, Annexure P-6, passed by SDJM, Rajpura, District Patiala, whereby the petitioner was declared as proclaimed offender is quashed. The petitioner is directed to remain present before the Trial Court on each and every date of hearing fixed by the said Court.

Disposed of accordingly.

20.05.2022
P. Chawla

(KARAMJIT SINGH)
JUDGE

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