

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

122

**CRM-M-506 of 2023
Date of decision : 09.01.2023**

Sukhdev @ Dabbi

.....Petitioner

VERSUS

State of Haryana

.....Respondent

CORAM: HON'BLE MR JUSTICE HARKESH MANUJA

Present:- Mr. J. S. Saini, Advocate, for the petitioner.

HARKESH MANUJA, J. (Oral)

By way of present petition, petitioner has prayed for quashing of the order dated 23.09.2016 (Annexure P-6) passed by Judicial Magistrate 1st Class, Kurukshetra, along with all consequential proceedings arising therefrom, whereby, petitioner has been declared proclaimed person.

Learned counsel for the petitioner *inter alia* submits that petitioner was never named in the FIR but later *challaned*, however, the other co-accused were acquitted by the Court of learned Judicial Magistrate 1st Class, Kurukshetra, vide judgment dated 01.04.2017. He further submits that petitioner was declared a proclaimed person vide order dated 23.09.2016 (Annexure P-6) whereas, he had already gone abroad on 17th March, 2015, returned back on 19th February, 2017 and again departed on 2nd March, 2016.

Notice of motion.

Mr. Ramesh Kumar Ambavta, AAG, Haryana, accepts notice on behalf of respondent-State.

Without commenting upon the merits of the case, the impugned order dated 23.09.2016 (Annexure P-6) passed by the Judicial Magistrate 1st Class, Kurukshetra, is hereby set aside, directing the petitioner to appear before the

bonds to the satisfaction of the trial Court concerned and he shall continue to appear thereafter. However, the aforesaid direction shall be subject to deposit of a sum of Rs. 25,000/- by the petitioner within a period of two weeks from today in the following account:

Account Name-Punjab and Haryana High Court Association
Lawyer's Family Welfare Fund.
Account No. 41564846387.
Bank Name. SBI High Court Branch.

The petition stands disposed of.

09.01.2023
anil

(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned :</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>