

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

CRM-M-1764-2023

DECIDED ON: 13.01.2023

JASPAL SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Ms. Bhavna Kapur, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

The instant petition under Section 482 Cr.P.C., for quashing of the P.O. order dated 02.08.2016 (Annexure P-7), passed in FIR No.317, dated 23.09.2007, under Section 224 IPC, registered at Police Station City Kapurthala, by Chief Judicial Magistrate, Kapurthala.

Learned counsel for the petitioner contends that as 30 days period provided under the statute had not elapsed, therefore, there is a clear violation of the provisions of Section 82 Cr.P.C., which is evident from order dated 22.07.2016 (Annexure P-8), wherein copy of the notice has been pasted outside the house of the accused, a copy has been pasted in chowk (roundabout), adjacent to Gurdwara and a copy has been pasted on notice board of the Court.

It is the assertion of the learned counsel for the petitioner that the petitioner is in India and is ready to surrender before the trial Court.

The Power of Attorney signed by the petitioner also bears the date i.e.04.01.2023, which is sufficient to believe for this Court that the

petitioner is presently in India and, therefore, the petitioner is directed to surrender before the Court concerned on 23.01.2023.

In case, he applies for bail, the same shall be considered and decided by the Court concerned expeditiously in accordance with law.

The present petition is disposed off, accordingly.

13.01.2023

Poonam Negi

(SANDEEP MOUDGIL)
JUDGE

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