

113-2

IN THE HIGH COURT OF PUNJAB OF HARYANA
AT CHANDIGARH

CRM-M No.1151 of 2023

Date of decision: 18.01.2023

Dr. Anil Kumar Rana

..... Petitioner

Versus

Vijay Kumar

..... Respondent

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Govind Chauhan, Advocate
for the petitioner.

GURBIR SINGH J. (ORAL)

The prayer in the present petition filed under Section 482 Cr.P.C. for quashing of impugned order dated 02.08.2022 (Annexure P-5) vide which the present petitioner has been declared as proclaimed offender.

Learned counsel for the petitioner contends that the petitioner was neither served nor appeared in the Court, process was issued against him and thereafter, proclamation was issued on 02.08.2022, which is as under;

“Complainant present and stated that earlier affidavit Ex.CA which was tendered by him in his preliminary evidence may be read as part of his evidence at this stage under Section 299 of Cr.P.C. and he close his evidence at this stage. Further he stated that he has no details of property to accused at this stage. He will file list of property when it will be available with him.

Accordingly, file be consigned to the record room with the condition that the same shall be revived as and when the accused surrendered, arrested and produced by the police before the Court. The complainant is at liberty to file the list of property of the accused by way of separate application, as and when he has one.”

If a person in a bailable case appears or surrenders in the Court, then he is entitled for bail. Therefore, if petitioner appears or surrenders in the Court, then he is entitled for bail.

In view of the above, the present petition stands disposed of. The petitioner is directed to surrender before the learned trial Court/Duty magistrate within ten days and move an application for bail. The same shall be decided on the same day.

18.01.2023
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(GURBIR SINGH)
JUDGE

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