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

CRM-M-1724-2023(O&M)

Date of Decision: January 12, 2023

Jakir

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.M.D.Khan, Advocate
for the petitioner.

.....

RAJESH BHARDWAJ, J.(ORAL)

Prayer in the present petition is for setting aside the impugned order dated 08.08.2011 passed by learned Chief Judicial Magistrate, Gurgaon, in FIR No.172, dated 29.04.2010, under Sections 307, 332, 353, 506, 34 IPC (later added Sections 109, 476, 411 IPC and Section 25 of the Arms Act), registered at Police Station DLF Qutab Enclave, Gurgaon, District Gurgaon, vide which, the petitioner was declared proclaimed offender, and all other subsequent proceedings.

Learned counsel for the petitioner has submitted that the petitioner was not properly served due to mentioning of incomplete names of him and his father and as such he could not appear before the Court below and join the proceedings in the above-mentioned case and as a result thereof, he was declared proclaimed offender. He submits that the petitioner is ready to join the proceedings.

Notice of motion.

On asking of the Court, Mr. B.S. Virk, Deputy Advocate

General, Haryana, who is present in Court, accepts notice on behalf of the respondents/State.

Heard.

After hearing learned counsel for the parties, the present petition is disposed of and order dated 08.08.2011 is set aside subject to payment of Rs.35,000/- as costs to be deposited with the Poor Patients' Welfare Fund, PGIMER, Chandigarh, by the petitioner. In case, the petitioner appears and surrenders before the Court concerned within a period of 7 days from today and produce receipt of abovesaid costs and files an application for bail, the Court concerned would consider and decide the same within three days thereafter in accordance with law. He will have protection from arrest for a period of 7 days from today. Needles to say that in case the petitioner fails to comply with the abovesaid direction, he will have no benefit of abovesaid protection granted by this Court and order under challenge dated 08.08.2011 would come in force.

January 12, 2023
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(RAJESH BHARDWAJ)
JUDGE

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| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ? | Yes/No |