

269 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-3030-2021
Decided on : 20.09.2023

Sanjeev Kumar @ Happy

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Ms. Komal Balain, Advocate
for the petitioner.

Mr. Pankaj Khullar, AAG, Punjab.

Ms. Himani Kapila, Advocate
for the complainant.

Manjari Nehru Kaul, J.(Oral)

1. Instant petition has been filed under Section 482 Cr.PC for quashing of the order dated 17.07.2019 (Annexure P-2) passed by JMIC, Amritsar vide which the petitioner was declared as a Proclaimed Offender.
2. Learned counsel for the petitioner submits that statutory provisions under Section 82 Cr.PC were not followed before passing the impugned order. Learned counsel still further submits that the petitioner is ready to appear and surrender and thereafter join proceedings before the trial Court.
3. While drawing the attention of this Court to para 9 of the reply filed, learned counsel for the State has opposed the prayer made by the counsel opposite. Learned State counsel submits that vide order dated 08.03.2021, this Court had directed the petitioner to surrender before the trial Court and apply for

regular bail, however, the petitioner failed to comply with the said order and had instead absconded.

4. Heard learned counsel for the parties and perused the relevant material available on record.

5. In view of the submissions made above, the petition is disposed of with directions to the petitioner to appear and surrender before the trial Court on or before 25.09.2023 and move appropriate application for grant of bail. Till then, no coercive steps be taken against the petitioner. The trial Court on such application being moved shall decide it expeditiously in accordance with law. It is, however, made clear that in case the petitioner fails to appear and surrender before the Court below within the above stipulated time period, then this order shall be of no avail to him, thereafter.

20.09.2023
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(MANJARI NEHRU KAUL)
JUDGE

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