

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

116

CRM-M-7750-2023

DECIDED ON: 14.02.2023

Gurdial Singh

.....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr.G.S.Randhawa, Advocate
for Mr. Jagdish Singh Mahal, Advocate, for the petitioner.

MANJARI NEHRU KAUL, J (ORAL)

Instant petition has been filed under Section 482 Cr.P.C for quashing of the order dated 13.12.2022 (Annexure P-1), passed by JMIC, Patti, Distt. Tarn Taran, in which the present petitioner was declared proclaimed person in complaint case titled DFO v. Ram Parkash etc. bearing COMA-54 of 2017, under Sections 32, 33/64-A of Indian Forest Act, 1927, as well as all other consequent proceedings arising therefrom.

Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence but he was falsely implicated in the impugned complaint. He further submits that on 13.12.2022, the petitioner could not turn up in Court of JMIC, Patti and, hence, was declared proclaimed person without following the mandatory provisions of law. The order of the learned trial Court is bad in the eyes of law and is liable to be set aside.

In view of the submissions made above, the petition is disposed of with direction to the petitioner to appear and surrender before the trial Court within seven days 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.

(MANJARI NEHRU KAUL)
JUDGE

14.02.2023

mamta

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No