

138

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

CRM-M-16235-2023 (O&M)

Date of decision : 29.08.2023

Satwinder Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Bhawesh Chaudhary, Advocate,
for the petitioner.

Mr. Joginder Pal Ratra, Sr. DAG, Punjab.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (for short, '*the Cr.P.C.*') praying for setting aside the entire PO proceedings against petitioner in FIR No.125 dated 02.07.2015, under Sections 420 & 506 of the Indian Penal Code, 1860, registered at Police Station Division No.1, Jalandhar, on the ground that petitioner was neither declared as proclaimed offender by the learned trial Court; nor any specific order is passed in this regard; nor any proceedings under Section 82 of the Cr.P.C. were initiated against him.

2. In pursuance of the previous order, report of learned District & Sessions Judge, Jalandhar has been received, enclosing therewith the copy of order dated 20.07.2016, passed by learned Judicial Magistrate 1st Class, Jalandhar, thereby, declaring the

petitioner as proclaimed offender. For reference, relevant portion of the order dated 20.07.2016 (*ibid*) is extracted as under:-

*“Proclamation issued against the accused Satwinder Singh has been received duly effected on 15.06.2016 and today the case was fixed for awaiting appearance of said accused. Since stipulated period of 30 days has already been elapsed, accused has failed to appear before the court. Therefore, accused **Satwinder Singh S/o Balbir Singh C/o Modern Steel Industrial Estate, Jalandhar road, Hoshiarpur now at present village Dagana Hoshiarpur,** is declared proclaimed offender. Intimation in this regard be sent to the concerned SHO as well as Commissioner of Police, Jalandhar, to enter the name of the accused in the register of proclaimed offenders. File be consigned to the judicial record room and will be revived as and when accused will be apprehended by the police or he otherwise appears before the Court.”*

- 3. Faced with the above situation, learned counsel, on instructions from the petitioner, wishes to withdraw the instant petition with liberty to take recourse to the remedy as per law.
- 4. Ordered accordingly.
- 5. Needless to say that interim order dated 24.05.2023 shall stand vacated, automatically.
- 6. Pending application(s), if any, shall also stand disposed off.

29.08.2023
atulsethi

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No