

250 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-22352-2022

Date of Decision: January 25, 2023

Sher Mohammad

...Petitioner

Versus

Om Filling Station and another

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Devender Kumar, Advocate for the petitioner.

Mr. Gurbir Singh Dhillon, AAG, Haryana
for respondent No.2.

DEEPAK GUPTA, J.(Oral)

During the proceedings of complaint case titled “*Om Filling Station vs Sher Mohammad*” bearing case No.NIA/182/2015, petitioner was declared proclaimed person vide order dated 22.03.2017. By way of this petition under Section 482 Cr.P.C., petitioner has prayed to quash the said order submitting that 30 days time was not allowed to surrender as required under Section 82 Cr.P.C.

On the last date of hearing, petitioner had placed on record the copy of order dated 02.06.2022 revealing that petitioner had already appeared before the Trial Court in the complaint case and had been allowed bail. It is revealed that proclamation was effected on 22.02.2017 as per order dated 06.03.2017 (Annexure P-2). The petitioner was required to appear on or before 22.03.2017. Thus, a period of 30 days had not elapsed. This is contrary to Section 82 Cr.P.C. So, the impugned order dated 22.03.2017 is hereby quashed.

Disposed of.

January 25, 2023

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(DEEPAK GUPTA)

JUDGE

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No