

CRM-M-49791-2018 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-49791-2018 (O&M)

Date of decision: July 21, 2023

Rahul

....Petitioner

versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN MONGA**Present:-** Mr. Vipul Sharma, Advocate for
Mr. Kunal Dawar, Advocate for petitioner.

Mr. Karan Garg, AAG Haryana.

ARUN MONGA, J. (ORAL)

The instant petition has been filed under Section 482 of Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') seeking quashing of impugned order dated 21.08.2017 (Annexure P-5) passed by learned Sub Divisional Judicial Magistrate (SDJM), Hathin declaring petitioner a proclaimed person in case FIR No.284 dated 16.08.2016, under Sections 332, 353, 186, 224, 506, 148 read with Section 149 of the Indian Penal Code, 1860 (IPC), at Police Station, Hathin, District Palwal.

2. The intent and purpose of initiating proclamation proceedings is to ensure presence of accused before the Court. Pursuant to order dated 14.11.2018 passed by co-ordinate Bench of this Court, petitioner caused appearance before learned Court below on 04.12.2018 and was admitted to interim bail. Since then, he is stated to be appearing regularly before learned Court below.

3. In view thereof, no purpose would be served to continue proceedings under Sections 82/83 Cr. P.C.

4. In the premise, impugned order dated 21.08.2017 (Annexure P-5) is set aside.

5. Petition stands disposed of accordingly.

6. Needless to say that setting aside of the impugned order vide which petitioner was declared proclaimed person would entitle petitioner to appear before learned trial Court in further proceedings as and when required, in accordance with law. Non-appearance before learned trial Court would naturally be subject to consequences that arise therefrom, including initiation of fresh proceedings.
7. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

July 21, 2023
mahavir

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