

CRM-M-25420-2023

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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-25420-2023

Date of decision:-17.08.2023

Rohan Medley

...Petitioner

Versus

State of Punjab

...Respondents

**CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL**

**Present** : Mr.Kunal Jain, Advocate  
for the petitioner.

Mr.Anup Singh, AAG, Punjab.

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**SUVIR SEHGAL, J.(ORAL)**

1. By way of present petition filed under Section 482 of the Code of Criminal Procedure, 1973, petitioner has sought quashing of order dated 25.01.2023 (Annexure P-3) passed by learned Judicial Magistrate Ist Class, Ludhiana, whereby petitioner has been declared as 'Proclaimed Offender' in FIR No.114 dated 12.08.2017, registered at Police Station Division No.8, District Ludhiana under Section 382 IPC (Annexure P-1) and all the consequential proceedings arising therefrom.

2. Counsel for the petitioner submits that pursuant to order dated 30.05.2023, petitioner has surrendered before the trial Court and has been admitted to interim bail. He has placed on record a copy of interim order dated 09.06.2023 to support his assertion.

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3. State counsel has filed short reply by way of of affidavit of ACP, Civil Lines, Ludhiana on behalf of respondent – State, admitting this development.

4. Heard counsel for the parties.

5. The object of Section 82 Cr.P.C. is to secure the presence of accused. Once an accused appears before the trial Court and joins the proceedings, he can no longer be described as an absconder. As the present petitioner has joined the proceedings and is appearing before the trial Court, the impugned order deserves to be quashed.

6. Accordingly, the petition is allowed. The impugned order dated 25.01.2023 (Annexure P-3) is set aside.

(SUVIR SEHGAL)  
JUDGE

17.08.2023  
Brij

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No