

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-8252-2018 (O & M)

Date of decision: 29.03.2023

Daler Singh

..... Petitioner

V/s

State of Haryana and anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Abhishek Singh, Advocate,
for the petitioners.

Mr. Neeraj Poswal, AAG, Haryana.

Mr. S.S. Momi, Advocate, for respondent No.2.

JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition under Section 482 Cr.P.C. is for the quashing/setting aside the order dated 15.01.2015 passed by the JMIC, Kurukshetra (Annexure P-13) whereby the petitioner was declared a proclaimed offender.

On 27.02.2018, the following order was passed in this case:-

“Prayer in this petition is for setting aside the order dated 15.01.2015 passed by the trial Court, declaring the petitioner as proclaimed offender.

Learned counsel for the petitioner submits that the petitioner is living in Germany for the last 25 years and he was not in India, when the proceedings for declaring the petitioner a proclaimed offender were initiated and the proclamation was made against him. Counsel for the petitioner further submits that the report was received on the proclamation that the petitioner has gone abroad and is living in Germany for the last 25 years and as such, the proclamation was never served on the

petitioner at his ordinary place of residence. It is further submitted that other co-accused, after facing the full length trial, have been acquitted by the Court of Additional Sessions Judge, Kurukshetra vide judgment dated 23.12.2015. It is also submitted that against the order dated 15.01.2015 (Annexure P-13), the petitioner has preferred a revision petition before the Court of Sessions, however, the same was dismissed vide order dated 23.01.2018, holding that the revision petition is not maintainable and the same was not decided on merits. Counsel for the petitioner has submitted that the petitioner is ready to appear before the trial Court and face the trial.

Notice of motion for 17.05.2018.

In the meantime, petitioner is directed to appear before the trial Court on or before 26.03.2018 and the trial Court/successor Court will release the petitioner on interim bail subject to furnishing his bail/surety bonds and payment of costs of Rs.10,000/- to be deposited with the District Legal Services Authority, Kurukshetra.”

In pursuance to the aforementioned order, the petitioner, initially, appeared and thereafter again left the country and is stated to be in Germany.

In view of the above, the present petition is dismissed.

March 29, 2023
sukhpreet

(JASJIT SINGH BEDI)
JUDGE

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