

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

CRM-M-40580-2022

Date of decision : 18.08.2023

Dalvir Singh

..... Petitioner

versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Jasraj Singh, Advocate
for the petitioner.

Mr. Kunal Vinayak, AAG, Punjab.

PANKAJ JAIN, J. (Oral)

While issuing notice of motion, following order was passed on
06.09.2022:-

“This petition has been filed under Section 482 read with Section 483 Cr.P.C. for quashing of FIR No.31 dated 07.03.2017 under Sections 302/427/323/120-B of IPC (Sections 148/149 of IPC added later on) registered at Police Station Sadar, District Hoshiarpur along with all subsequent proceedings arising therefrom including the order dated 11.08.2017 (Annexure P-8) whereby the petitioner was declared a proclaimed offender.

Learned counsel for the petitioner confines his relief only qua the challenge to the order dated 11.08.2017 (Annexure P-8) whereby, the petitioner was declared a proclaimed offender.

Learned counsel for the petitioner inter alia contends that the order dated 11.08.2017 (Annexure P-8) has been passed in contravention to the provisions of Section 82 (1) Cr.P.C. and to support the said contention, he has relied upon the judgments passed in 'Ashok Kumar vs. State of Haryana and another' 2013 (4) RCR (Criminal) 550; 'Avtar Singh vs. State of Punjab and another' CRM-M-1866-2017 P&HHC; 'Narinder Kohli and others vs. State of Punjab' CRM-M-42609-2017 P&HHC and 'Sudo Mandal @ Diwarak Mandal vs. State of Punjab' 2011 (2) RCR (Criminal) 453.

Notice of motion.

Mr. Ferry Sofat, Addl.A.G., Punjab puts in appearance and accepts notice on behalf of respondent No.1 and seeks time to file reply, if any.

Adjourned to 28.10.2022.”

2. Thereafter, petitioner was granted liberty to surrender/appear before the trial Court vide order dated 13.04.2023.
3. Counsel for the petitioner has produced order dated 02.06.2023, whereby the petitioner has stated to have appeared before the trial Court and released on bail.
4. Disposed off, accordingly.

(PANKAJ JAIN)
JUDGE

18.08.2023

Dinesh

Whether speaking/reasoned : Yes

Whether Reportable : No