

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

**119-2**

**CRM-M-42420-2023**

**Date of decision: 25.08.2023**

Sachin Sharma

.....Petitioner

Versus

State of Haryana and another

.....Respondents

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present : Mr. Ankur Sheoran, Advocate for the petitioner.

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**MANJARI NEHRU KAUL, J. (ORAL)**

1. The petitioner is seeking quashing of order dated 06.04.2022 (Annexure P-1) passed by the learned Judicial Magistrate 1<sup>st</sup> Class, Bhiwani whereby he was declared a proclaimed offender in case NACT No.621/2019 dated 16.09.2019 titled as 'M/s Dabar Petroleum Vs. M/s Vikas Transport of India'.

2. Learned counsel for the petitioner submits that the impugned order had been passed without proper compliance of Section 82 of the Cr.P.C. Learned counsel submits that it was a matter of record that proclamation was issued before the expiry of mandated 30 days period. Learned counsel further submits that the petitioner is willing and ready to appear, and surrender before the Trial Court. Hence, in the aforementioned facts and circumstances, the petitioner be protected till his appearance before the Trial Court and with directions to the Trial Court that his bail application, which he would be filing on his surrender, be decided expeditiously.

3. Notice of motion.

4. On asking of the Court, Mr. Rahul Mohan, Sr. DAG, Haryana accepts notice on behalf of respondent No.1-State.

5. In view of the limited prayer made by the learned counsel for the petitioner, the instant petition is disposed of with directions to the petitioner to appear and surrender before the Trial Court within 07 days from today. Till then, no coercive steps be taken against the petitioner.

6. It is made clear that in case, the petitioner fails to surrender before the Trial Court within 07 days from today, this order shall be of no avail to him, thereafter. In case, on appearance and surrender, the petitioner moves an application for bail before the Trial Court, the same shall be decided expeditiously, by the Trial Court in accordance with law.

25.08.2023

Vinay

(MANJARI NEHRU KAUL)  
JUDGE

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