

CRM-M-43840-2022

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**241+2 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

CRM-M-43840-2022

**Date of Decision:10.02.2023**

AMAN BHATTI @ AMAN KUMAR

..... Petitioner

*Versus*

STATE OF PUNJAB AND ANOTHER

..... Respondents

**CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present : Mr. Sunil Agnihotri, Advocate  
for the petitioner.

Mr. Digvijay Nagpal, AAG, Punjab.

Mr. Amit Gupta, Advocate  
for the complainant.

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**JAGMOHAN BANSAL, J. (Oral)**

Through instant petition under Section 482 of Code of Criminal Procedure, 1973, the petitioner is seeking quashing of order dated 07.05.2021 (Annexure P-7) whereby the petitioner has been declared proclaimed offender by JMIC, Mukerian in FIR No. 23 dated 17.04.2019, under Sections 363, 366-A, 376, 506 and 511 IPC and Section 4 of POCSO Act, registered at Police Station Hajipur, District Hoshiarpur.

Learned counsel for the petitioner *inter alia* contends that the petitioner has been declared proclaimed offender without following the provision of Section 82 of Code of Criminal Procedure, 1973. He further submits that the matter has been compromised between the parties and it was a case of mis-understanding. The petitioner is a 32

years old man and he has been wrongly implicated in the commission of alleged offence. He is ready to surrender before the learned Trial Court, however, Trial Court may be directed to decide his bail application on the same day.

Learned counsel for the complainant submits that he has no objection, if present petition is allowed.

Without commenting upon the merits of the case, the present petition is disposed of, with liberty to the petitioner to surrender before the Trial Court and if he surrenders within 10 days from today, Trial Court shall decide his regular bail application on the same day after considering allegations and fresh stand of the complainant.

The instant petition is disposed of accordingly.

( JAGMOHAN BANSAL )  
JUDGE

10.02.2023  
*Ali*

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|---------------------------|---------------|
| Whether speaking/reasoned | Yes/No        |
| <i>Whether Reportable</i> | <i>Yes/No</i> |