

2023:PHHC:156505

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

294

CRM-M-50009-2023

Date of decision : 07.12.2023

Ajay Kumar

..... Petitioner

versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Amardeep Singh Gill, Advocate
for the petitioner.

Mr. Kunal Vinayak, AAG, Punjab.

PANKAJ JAIN, J. (Oral)

1. While issuing notice of motion on 04.10.2023, following order was passed:-

“Counsel for the petitioner *inter alia* submits that the proclamation was ordered to be issued vide order dated 01.12.2018 for 28.01.2019. Annexure P-6 is the proclamation which was issued on 19.01.2019 as is evident from the proclamation itself. The petitioner was declared ‘proclaimed offender’ on 20.03.2019 (Annexure P-9) which is in utter violation of the provisions as contained in Section 82 of the Code that too despite the fact that the Executing Officer made statement before the Court that on enquiry, it has come to his knowledge that the petitioner has gone abroad to Cyprus prior to the passing of the impugned order.

Notice of motion, returnable for **07.12.2023**.

Mr. Tarun Aggarwal, Sr. DAG, Punjab, who is present in Court, accepts notice on behalf of respondent No.1-State.

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Petitioner is directed to appear before the trial Court on or before **10.10.2023**.

In the meantime, operation of the impugned order dated 20.03.2019 (P-9) shall be kept in abeyance.

In case the petitioner appears and applies for bail, he shall be admitted to interim bail.

2. Today, counsel for the petitioner has produced order dated 09.10.2023 passed by JMIC-4, Jalandhar to submit that the petitioner surrendered before the trial Court and was ordered to be admitted to bail on furnishing bail bonds and surety bonds in the sum of Rs.50,000/- with one surety in the like amount.
3. Counsel for the petitioner submits that the petitioner undertakes to appear regularly before the trial Court.
4. In view of above, present petition is disposed off with the direction that the order dated 09.10.2023 admitting the petitioner to bail by the JMIC shall remain in operation, subject to the petitioner complying with aforesaid undertaking without default.
5. Ordered accordingly.

(PANKAJ JAIN)
JUDGE

07.12.2023

Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No