

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

254

CRM-M-45666-2019

Date of decision: 01.08.2023

Ram Rattan

.....Petitioner

Versus

State of Haryana

.....Respondent

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

Present : Ms. Suman Devi, Advocate and  
Mr. Virender, Advocate for  
Mr. Rajesh Duhan, Advocate  
for the petitioner.

Ms. Jasleen Chahal, AAG, Haryana.

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

1. The petitioner is seeking quashing of order dated 10.04.2017 (Annexure P-3) passed by learned Special Court, Amritsar whereby he was declared a proclaimed offender by learned JMIC, Kaithal in case FIR No.215 dated 07.07.015 under Sections 406, 420 and 120-B of the IPC registered at Police Station Civil Lines Kaithal, District Kaithal.

2. Reply by way of affidavit of Umed Singh, HPS, Deputy Superintendent of Police (HQ), Kaithal, has been filed in the Court today which is taken on record subject to all just exceptions. A copy of the same has been supplied to the counsel opposite.

3. 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.

4. 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 10 days from today. Till then, no coercive steps be taken against the petitioner.

5. It is made clear that in case, the petitioner fails to surrender before the Trial Court within 10 days from today, this order shall be of no avail to him. 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.

01.08.2023

Vinay

(MANJARI NEHRU KAUL)  
JUDGE

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