

CRM-M-57659-2023
Date of decision: 17.11.2023

HappyPetitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Nikhil Kumar, Advocate
for the petitioner.

Ms. Navreet Kaur Barnala, AAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

This petition has been filed under Section 482 Cr.P.C. seeking quashing of impugned order dated 15.02.2010 (Annexure P-1) passed by the learned SDJM, Phillaur, whereby, the petitioner has been declared as proclaimed offender in a case bearing FIR No.124 dated 18.06.2008 under Sections 323/324/452/34 of IPC registered at Police Station Phillaur, District Jalandhar Punjab.

Learned counsel for the petitioner *inter alia* contends that the offence in which the FIR was lodged are bailable in nature and the petitioner was never called by the Investigating Agency when the challan was presented, thereafter, the petitioner went abroad in the year 2009. The petitioner was never served with the summons and he has been declared as a proclaimed offender without following the procedure prescribed under Section 82 of Cr.P.C.

Learned counsel for the petitioner further relies upon the judgment passed by the learned SDJM, Phillaur, on 15.02.2013 vide which the co-

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accused, namely, Gurpreet Kumar and Raj Kumar had been acquitted.

Learned counsel for the petitioner wishes to withdraw this petition with liberty to file regular bail application before the learned trial Court within a period of two weeks.

Dismissed as withdrawn with the liberty aforesaid.

In case, the petitioner surrenders and files his regular bail application in a case bearing FIR No.124 dated 18.06.2008 under Sections 323/324/452/34 of IPC registered at Police Station Phillaur, District Jalandhar Punjab, the same be decided within a period of three days.

(HARPREET SINGH BRAR)
JUDGE

17.11.2023

Neha

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