

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

CRM-M-52082-2019

Date of decision : 12.09.2023

LAKHWINDER SINGH

....Petitioner

Versus

STATE OF PUNJAB

....Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Jasraj Singh, Advocate
for the petitioner.

Mr. Kunal Vinayak, AAG, Punjab.

PANKAJ JAIN, J. (ORAL)

Petitioner has invoked jurisdiction of this Court under Section 482 Cr.P.C. for setting aside of order dated 16th of April, 2009 (Annexure P-6) passed by Ld. ASJ, Hoshiarpur whereby the petitioner has been declared a Proclaimed Offender in cross-case under Section 326, 325, 324, 323, 148 and 149 of the IPC to the FIR No.5 dated 7th of January, 2007 registered for the offences punishable under Sections 326, 324, 323, 148, 149, at Police Station Mahilpur, District Hoshiapur.

2. While issuing notice of motion on 7th of December, 2019 following order was passed :

“Learned counsel for the petitioner inter alia submits that a clear period of 30 days was not given to the petitioner to appear before the Court after publication of the proclamation and thus, the order declaring the petitioner as proclaimed offender is illegal. He further submits that co-accused have been acquitted vide judgment dated 16.2.2011 and the said judgment has become final. A

compromise dated 12.7.2010 has also been reached between the parties.

Notice of motion for 22.1.2020.

The petitioner is directed to surrender before the trial Court on or before 31.12.2019 and seek regular bail. In case such an application is filed, the trial Court is directed to grant regular bail to the petitioner and commence the trial against him.

Till the date of surrender of the petitioner, he shall not be arrested.”

3. Today counsel for the petitioner has produced copy of order dated 27th of December, 2019 passed by (D), Addl. Sessions Judge, Hoshiarpur to demonstrate that in compliance the order dated 7th of December, 2019 the petitioner appeared before the Trial Court and now stands admitted to bail.
4. In view of above, the order declaring the petitioner as proclaimed offender, dated 16th of April, 2009 having lost its sting and has ceased to exist.
5. Consequently, the present petition is dismissed as having been rendered infructuous.

September 12, 2023
Dpr

(Pankaj Jain)
Judge

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