

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-3259 of 2024(O&M)
Date of Decision: 04.03.2024

Rajiv Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Neeraj Jain, Advocate
For the petitioner.

Mr. Vishal Kashyap, DAG Haryana

KARAMJIT SINGH, J.

CRM-6746 of 2024

Documents Annexure P-3 are ordered to be taken on record subject to all just exceptions and accordingly the present application is allowed.

CRM-M-3259 of 2024

1. The present petition has been filed by the petitioner under Section 482 Cr.P.C. seeking quashing of order dated 13.10.2023 (Annexure P-2) passed by the learned Special Environment Court, Kurukshetra, whereby the petitioner has been declared as proclaimed person in criminal case having FIR No. 102 dated 02.09.2018, registered under Sections 379 and 411 IPC and Sections 32 and 33 of Indian Forest Act, 1927 and Sections 27 and 29 of Wild Life (Protection) Act at Police Station Jagadhri Sadar, District Yamuna Nagar(Annexure P-1).

2. The counsel for the petitioner submits that FIR in this case was registered against unknown persons and petitioner never received any summons, notice or warrants and as such was not in knowledge of pendency of any such criminal case against him and thus the impugned order (Annexure P-2) is not sustainable and deserves to be set aside. The counsel for the petitioner further submits that even otherwise the petitioner is ready to surrender before the learned trial Court in order to seek regular bail in accordance with law. So, prayer is made that present petition be allowed.

3. Notice of motion.

4. Mr. Vishal Kashyap, DAG Haryana accepts notice on behalf of respondent State and submits that necessary direction be given to the petitioner to seek regular bail after approaching the Court concerned and that the present petition be disposed of accordingly.

5. In light of the above, the present petition is hereby disposed of without expressing any opinion on the merits of the case and the impugned order is set aside with direction to the petitioner to surrender before the Special Environment Court, Kurukshetra within next 15 days and should file application for grant of regular bail which is to be disposed of by the Court concerned in accordance with law. In case the petitioner fails to do so the present petition shall be deemed to have been dismissed.

04.03.2024

Jiten

(KARAMJIT SINGH)
JUDGE

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