

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-12865-2024(O&M)
Date of decision: 14.03.2024

Rajan Katna
...Petitioner

Versus

Wazir Chand Rakesh Kumar and another
...Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Anoop Verma, Advocate for the petitioner.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of impugned order dated 19.02.2024 (P-1), passed by learned Judicial Magistrate First Class, Abohar in case bearing NACT No. 196 of 2021 dated 05.03.2021, titled as “M/s Wazir Chand Etc. Vs. Rajan Katna Etc.”, without following the due procedure prescribed under law and without complying with the 30 days mandatory statutory period from the date of publication of the proclamation till the date of hearing fixed in the case for appearance and thus, without complying the essential requirements of Section 82 Cr.P.C. for issuance and publication of proclamation against the petitioner and petitioner declared as proclaimed person.

(2) After arguing for some time, learned counsel for the petitioner on instructions submits that instead of pressing the petition on merits, he will be satisfied, in case, protection granted by learned Sessions Court is extended for two weeks.

(3) Given the nature of order being passed, service upon respondents is dispensed with.

(4) In view of the above, present petition is disposed off with the observations that petitioner may join proceedings before the Court of competent jurisdiction within two weeks from today and pre-arrest bail granted by learned Sessions Court shall be extended till then.

(5) The above observations may not be construed as an expression of opinion on merits of the case in any manner.

(6) However, if respondents feel aggrieved against this order, they may move an appropriate application for recalling of this order.

(7) Pending application(s), if any, shall also stand disposed off.

14.03.2024
Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No