



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-24411-2024

Date of decision: May 15, 2024

AVTAR SINGH

...Petitioner

Versus

STATE OF UT CHANDIGARH

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Chetan Sehgal, Advocate
for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing of order dated 06.11.2012 (Annexure P-12), vide which the petitioner was declared a proclaimed offender/absconder under Section 82 of the Cr.P.C. in case FIR No.34 dated 14.02.2010 under Section 473 of the Indian Penal Code, 1860, registered at Police Station Sector-36, Chandigarh (Annexure P-1).
2. Learned counsel for the petitioner submits that the impugned order declaring the petitioner a proclaimed offender (PO) had been passed in blatant violation of the provisions of Section 82 of the Cr.P.C. He submits that as per the serving police official himself, on a previous date, he had made a statement that the address given on the proclamation notice and warrants was incorrect, however, subsequently, on that very address, the second proclamation notice was served and he was wrongly declared as proclaimed offender (PO).
3. After arguing for some time, learned counsel for the petitioner has submitted that the petitioner is ready and willing to appear and surrender before the trial Court. Hence, in the aforementioned facts and circumstances, petitioner be protected till his appearance before the trial Court and directions be given to



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the trial Court that his bail application, which he would be filing on his surrender, be decided expeditiously.

4. Notice of motion.
5. On asking of the Court, Mr. Tarun Vir Singh Lehal, Additional Public Prosecutor, U.T. Chandigarh accepts notice on behalf of respondent No.1-State.
6. 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 seven days from today. Till then, no coercive steps be taken against the petitioner.
7. It is made clear that in case, the petitioner fails to surrender before the trial Court within seven days from today, this order shall be of no avail to him thereafter. In case, on appearance and surrender, the petitioner moves an application for bail, the trial Court shall make earnest efforts to decide it expeditiously, in accordance with law, preferably within 2 days.

May 15, 2024
Jaspreet Kaur

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No