



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

Sr. No.274-2

**CRM-M-58558-2023
Date of decision : 29.07.2024**

AKASHDEEP SINGH

..... Petitioner

VERSUS

STATE OF PUNJAB AND ANOTHER

..... Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Judgepreet Singh Warring, Advocate
for the petitioner(s).

Mr. Ravinder Singh, AAG Punjab.

Mr. Kamal Gupta, Advocate for the complainant.

KIRTI SINGH, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for seeking quashing of impugned order dated 02.02.2021 (Annexure P-1) arising out of FIR No.0051 dated 30.05.2017 under Sections 325, 323, 506, 149, 379-B of IPC registered at Police Station Cantt Bathinda, District Bathinda (Annexure P-2).

2. Learned counsel for the petitioner submits that the mandatory procedure prescribed under Section 82(1) of Cr.P.C. has not been duly followed. He further draws the attention of this Court to order dated 09.07.2024 passed by Additional Sessions Judge, Bathinda, wherein it is stated that in compliance to order dated 20.05.2024, the petitioner has surrendered before the learned trial Court.

3. Keeping in view the above submissions and considering the fact that as per provisions of Section 82(1) of Cr.P.C. the accused was not granted 30 days period from the date of proclamation to appear in the Court



and the fact that petitioner has surrendered before the learned trial Court, this Court finds merit in the petition.

4. Accordingly, the petition is allowed. The impugned order dated 02.02.2021 (Annexure P-1) is hereby set aside.

(KIRTI SINGH)
JUDGE

29.07.2024
Kavita Nain

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