



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

213

**CRM-M-48637-2024 (O&M)
Date of Decision:- 18.02.2025**

MOHAN SINGH SODHI

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Kunal Jain, Advocate for
Mr. S.K. Sirsa, Advocate for the petitioner.

Mr. Surender Singh, A.A.G. Haryana.

SANJIV BERRY, J. (ORAL)

By way of present petition preferred under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 the petitioner has sought quashing of impugned order dated 02.06.2009 (Annexure P-2) passed by the Court of learned Sub Divisional Judicial Magistrate, Pehowa, whereby the petitioner was declared as proclaimed offender in case FIR No.81 dated 05.03.2007 registered under Sections 406, 420, 506 and 120-B IPC at Police Station Pehowa, District Kurukshetra.

2. Learned counsel for the petitioner has submitted that in compliance to the order dated 27.01.2025 passed by this Court, the petitioner has joined the investigation before the Investigating Officer of the case and as such interim bail granted to the petitioner may be confirmed.



3. Learned State counsel, on instructions received from Naresh Kumar has intimated that the petitioner has joined investigation and is no more required for any custodial investigation in this case nor he is required for further investigation.

4. Heard.

5. During the course of proceedings on 27.01.2025, the following order was passed.

“2. It is inter alia contended by learned counsel for the petitioner that the impugned order dated 02.06.2009 (Annexure P-2) has been passed by learned Sub Divisional Judicial Magistrate, Pehowa declaring the petitioner as proclaimed offender in this case without following the procedure laid down under Section 82 Cr.P.C. and as such it is liable to be set aside.

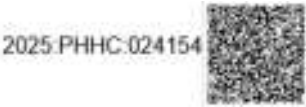
3. The learned State counsel has not disputed the factual matrix and has submitted that the statement of the executing official was recorded on 29.04.2009 vide Annexure P-8.

4. Be it the case, without commenting on the merits, the petitioner is directed to join the investigation within ten days from today and in the event of his arrest, he is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 482(2) of BNSS, 2023.

5. List on 18.02.2025.

6. Investigating Officer of the case to remain present in Court along with record on that date.”

6. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 27.01.2025 passed by this Court, the present petition is allowed. The order dated 02.06.2009 (Annexure P-2) passed by the Court of learned Sub Divisional Judicial Magistrate, Pehowa is set aside



and the interim bail granted vide order dated 27.01.2025 is hereby confirmed.

- 7. The petition stands disposed of.
- 8. Pending applications, if any, shall also stand disposed of.

(SANJIV BERRY)
JUDGE

18.02.2025
S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No