

MS PATIALA FINANCE COMPANY VS RAHUL ARORA etc.

Present: Sh. Sukhjinder Singh Anand Adv., counsel for complainant.

Accused was ordered to be served through proclamation under Section 84 of the B.N.S.S. Statement of serving official has been recorded. From his statement and report Ex.A2, it is evident that proclamation of the accused was duly executed on 05.04.2024. Already a period of more than one month has been expired since then. But the accused has not come present. This court is of the view that accused is intentionally not appearing in the Court and has voluntarily concealed himself. He has been absconded. So, accused is declared proclaimed person. Necessary intimation be sent to the P.O. Staff/SHO concerned with directions to constitute a special police party to apprehend the accused.

Evidence had already been led by the complainant, during the course of complainant evidence hence, there is no need to record evidence under Section 335 K Bharatiya Nagarik Suraksha Sanhita 2023.

Learned counsel for the complainant stated at bar that property details of the accused are not available with the complainant and complainant has no objection if the present file be consigned without proceedings under Section 85 B.N.S.S. qua attachment of property of the accused. He has further requested that liberty may be granted to the complainant to file separate application U/s 85 B.N.S.S. as and when property details of accused are available.

Since the property details of the accused are not available with the complainant at this stage, therefore, no purpose shall be served by keeping this file pending as the accused has been declared proclaimed person and no property details of the accused furnished. Therefore, the present file be consigned to the record room after due compliance. The complainant is at liberty to file separate CRM qua attachment of property of accused as and when the details of the same are available with the complainant.

Pronounced
24.07.2024

(Palwinder Singh),
Judicial Magistrate Ist Class,
Patiala/UID no. PB0413