

Present : Sh.Sandeep Kapoor Adv Counsel for the complainant.

Proclamation of accused Jaspal Singh through publication received back duly effected in the newspaper "Nawan Zamana" dated 02.12.2021. Accused **Jaspal Singh** failed to appear in the Court despite service till date. Case called several times since Morning. It is 1:00PM. File be put up after lunch.

(Supinder Singh) PCS
JMIC/ASR/02.05.2022
UID no. PB0570

File taken up again after lunch. Case called several times since Morning. Neither accused **Jaspal Singh**, nor anybody on his behalf appeared in the Court despite elapse of statutory period after proclamation. It is already 4:30PM. No further wait is justified. As such, the present accused **Jaspal Singh** is declared as Proclaimed Persons. Necessary intimation be sent to the concerned S.H.O.

In view of the letter No.1810 Spl-Gaz.II.20 dated 10.12.2018, the complainant is directed to file the list of property of the accused along-with the affidavit. However, counsel for the complainant suffered statement in the Court that complainant has no details regarding moveable/ immoveable list of property of the accused and he will file it in the Court as and when he get the same for the proceedings u/s 83 of Cr.P.C.

As per letter No.1810 Spl-Gaz.II.20 dated 10.12.2018 it provided that once the accused is declared Proclaimed Offender the concerned Court shall not consign the file without complying the provisions of Section 83 of Cr.P.C. In the present case the Court has inquired about the property of accused from the complainant and the complainant has recorded his statement in the Court that he has no knowledge regarding the immovable and movable property of the accused at present. Therefore, this Court is of the considered view that complainant is at liberty to file the list of property whenever he find the same and the Court shall initiate the proceedings under section 83 Cr.P.C. on filing list of property.

Further separate proceedings under section 83 Cr.P.C.shall be initiated against the accused on filing of list of property. The counsel for complainant stated that preliminary evidence earlier recorded be treated as evidence u/s 299 Cr.P.C and closed evidence u/s 299 Cr.P.C. File be consigned to record room with liberty to complainant to move an application for revival of the case in the event of arrest of accused who has since been declared as Proclaimed Person.

Pronounced:27.04.2022

(Supinder Singh)
Judicial Magistrate Ist Class,
Amritsar/ UID No.: PB0570

Mukesh (Steno)