

In the Court of Ashok Kumar, JMIC, Chachiot at Gohar, District Mandi, H.P.

In the matter of:

Surender Singh vs. Kewal Ram

22.10.2018:

Present: Shri N. S. Thakur, learned Advocate for complainant.
Complainant not present.
None for accused.
Serving constable HHC Rajesh Kumar No. 395, S.P. Office Mandi, H.P., in person.

An exemption application has been moved on behalf of complainant which is considered and allowed for the reason detailed therein.

A proclamation in view of Section 82 of Code of Criminal Procedure was issued against accused which is duly published on 16.04.2018 as is evident from the report Ext. P-Z of serving constable. Serving constable Rajesh Kumar No. 395 has proved the proclamation. Perusal of report shows that the publication has been published in accordance with directions issued by this Court. Thirty days time has already been elapsed, but accused did not appear despite proclamation. He was required to appear in this Court on 18.06.2018, but despite proclamation, duly published by serving constable Rajesh Kumar, he did not appear and therefore, he has failed to comply the proclamation issued by this Court. Let intimation in this behalf be issued to S.H.O. concerned for necessary action and for proceeding against accused under Section 174-A of Indian Penal Code in accordance with law. Complainant is directed to take appropriate steps and file separate application for initiating proceedings under Section 83 of Code of Criminal Procedure. It is made clear that the application under Section 83 of Code of Criminal Procedure, if filed, shall be taken separately. Since the accused has absconded and there is no immediate prospect of his appearance, hence, this complaint is hereby ordered to be kept in 50 years bundle and it shall be revived as and when the accused shall be produced by the police. File after due completion be consigned to records.

Announced.
22.10.2018.

(Ashok Kumar)
JMIC, Chachiot at Gohar, H.P.