

CrPC S. 82 – Proclamation Notice – Period of 30 days not completed – Section 82(1) Cr.P.C. mandates that a period of not less than 30 days has to be provided for causing appearance from the date of publication of such proclamation – While the proclamation was issued on 9.10.2020 directing the petitioner to appear before the trial Court on 9.11.2020 but it was only on 23.10.2020 that the proclamation was actually effected – Since as on 9.11.2020 a period of 30 days after effecting proclamation had not elapsed, the matter was adjourned by the trial Court to 23.11.2020 and on which date the petitioner was declared a ‘Proclaimed Offender’ – As on the date when the proclamation was effected i.e. on 23.10.2020, the accused was afforded only 16 days to cause his appearance – Declaration of proclaimed offender order set aside.

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