



CrPC S. 82(1) - Clear 30 days - If a person is declared a proclaimed offender on account of their non-appearance before the court on a subsequent date, whereas for the said subsequent date, there was no proclamation under Section 82(1) of the CrPC ordered or effected, it is liable to be set aside. (2023-2)210 PLR 631

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- Section 82(1) of the Criminal Procedure Code (CrPC) provides the procedure for the appearance of an individual before the court in [criminal proceedings](#) and regulates the liberty of an individual, stemming from Article 21 of the Constitution of India.
- A clear period of 30 days starting from the date when a proclamation under Section 82 of the CrPC is mandatory for the appearance of an individual before the court.
- If no clear 30-day period is prescribed for the purpose of putting in appearance before the trial court, in pursuance to the proclamation effected under Section 82 of the CrPC, the order is liable to be set aside.
- The court has to wait until the expiry of 30 days to enable the accused to appear in terms of the proclamation under Section 82 of the CrPC.
- If a person is declared a [proclaimed offender](#) on account of their non-appearance before the court on a subsequent date, whereas for the said subsequent date, there was no proclamation under Section 82(1) of the CrPC ordered or effected, it is liable to be set aside.
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