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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ BAIL APPLN. 3805/2021

NEETU SINGH

..... Petitioner

Through: Ms. Nitya Ramakrishnan, Sr.
Advocate with Ms. Akriti Tyagi and
Mr. Sadduzzaman, Advocates.

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Ms. Neelam Sharma, APP with SI
Harpal Madan, EOW.

CORAM:

HON'BLE MR. JUSTICE TALWANT SINGH

ORDER

18.04.2022

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1. Arguments heard.
2. Both the parties may place on record a brief written synopsis of not more than two pages each within one week from today.
3. It is the submission of the learned senior counsel for the petitioner that the petitioner was declared a proclaimed offender at her back and without her knowledge. The police tried to serve her at her old Ghaziabad address whereas the property in question was already taken over by the bank in some recovery proceedings.
4. It has come to the notice of this Court that in a judgement CRL.M.C. 5328/2013, titled as '*Sunil Tyagi vs. Govt. of NCT of Delhi & Anr.*' certain

directions were issued by this Court as to how to deal with the process of declaring the persons as proclaimed offenders and the steps to be taken thereafter. In my view, the names of the proclaimed offenders/proclaimed persons be there in public domain so that any concerned citizen may be able to assist the police as to the whereabouts of the said proclaimed offenders/proclaimed persons and it will help the State in taking further steps to ensure that the said proclaimed offenders/proclaimed persons are brought before the Courts.

5. Secondly, another aspect which has not been highlighted till date is the fate of the persons declared as proclaimed persons in Section 138, NI Act proceedings by the Magistral Courts in Delhi where recovery matters were filed against the persons who were no longer available at their addresses known to the complainants. There may be the cases of other types of complaints where the proceedings were adjourned *sine die* and the files were consigned to the record rooms after declaring respondents as proclaimed persons, to be retrieved as and when those persons are arrested.

6. It appears that even the police authorities are not aware of the details of those proclaimed persons who have been so declared in complaint cases. So, who will bring those proclaimed persons to Court is a big question.

6.1 Under these circumstances and in view of the directions issued in CRL.M.C. 5328/2013, let a detailed report be filed by DCP, Legal as well as by the Principal District and Sessions Judge (Headquarters) suggesting the ways as to how to streamline the system so that the names and particulars of the persons who have been declared as proclaimed offenders/proclaimed persons in police cases as well as in complaint cases are published in public

domain so that further steps may be taken to bring those persons before respective Courts to face trials.

7. Let the reports be filed within four weeks from today. The matter will be kept pending for the compliance part regarding the status reports in respect of proclaimed offenders/proclaimed persons. The concerned DCP shall appear in person on the next date of hearing. Copies of this order be sent to Ld. Principal District and Sessions Judge (Headquarters) and the DCP (Legal) for compliance.

8. The matter be now listed for filing of the brief synopsis on 26.04.2022.

9. The matter be listed for filing of the report by the DCP (Legal) and learned Principal District & Sessions Judge (Headquarters) on 23.05.2022.

TALWANT SINGH, J

APRIL 18, 2022

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[Click here to check corrigendum, if any](#)