



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-14422-2024

Date of Decision : 18.05.2024

RAM LAL

.....Petitioner

VERSUS

STATE OF PUNJAB

....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Kulbir Singh Saini, Advocate,
for the petitioner.

Mr.Pardeep Bajaj, DAG, Punjab.

KULDEEP TIWARI. J.(Oral)

1. The present petition has been filed seeking quashing of impugned order dated 28.02.2024 (Annexure P-11) passed by the SDJM, Anandpur Sahib, whereby, the petitioner has been declared as a proclaimed person in case FIR No.97, dated 03.07.2020, registered under Section 21(1), 4(1) of the Mines and Minerals Act, 1957, at Police Station Anandpur Sahib, District Rupnagar.

2. In asking for the relief (*supra*), learned counsel for the petitioner submits that the petitioner was earlier released on regular bail by this Court vide order dated 24.03.2021 (Annexure P-2), and since then the petitioner was regularly appearing before the learned trial Court concerned, whereas, owing to non-appearance on dated 19.10.2022, the learned trial Court concerned, proceeded to cancel his bail bonds, and non-bailable warrants were issued against the present petitioner to secure

his presence. Thereafter, due to non-execution of non-bailable warrants, proclamation proceedings were initiated against the petitioner on dated 10.05.2023 (Annexure P-5), and ultimately, vide impugned order (*supra*), the petitioner was declared a proclaimed person.

3. He further submits that petitioner has no intentions to challenge the legality of the order (*supra*), passed by this Court, however, the petitioner is ready and willing to face the trial, and is ready to surrender before the learned trial Court concerned, in case adequate protection is granted to him.

4. *Per contra*, learned State counsel opposes the grant of relief (*supra*), to the present petitioner.

5. This Court has heard the learned counsel for both the parties concerned, and has gone through the entire case file.

6. Since an innocuous and a *bona fide* prayer has been made by learned counsel for the petitioner, without going into the legality of the impugned order, this Court directs the petitioner to surrender before the learned trial Court concerned within 15 days from today.

7. In case the petitioner surrenders before the learned trial Court concerned, within a stipulated time and furnishes fresh bail and surety bonds, the same shall be accepted by the learned trial Court concerned, however, subject to its satisfaction, and the petitioner shall be released on regular bail.

8. In the meanwhile, the arrest of the petitioner shall remain stayed.

9. However, in case, the petitioner fails to appear before the learned trial Court concerned within 15 days from today and furnish bail and surety bonds, the protection granted hereinabove, *qua* his arrest shall *ipso facto* vacated, without any further reference to this Court.

10. **Disposed of accordingly.**

May 18, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No