



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

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CRM-M-23698-2024**DATE OF DECISION: 10.05.2024****MANPREET SINGH****...PETITIONER****Versus****STATE OF PUNJAB****... RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. M.S. Kathuria, Advocate for the petitioner(s).

Mr. Rajiv Verma, DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 482 Cr.P.C., for seeking quashing/setting aside of the order dated 01.05.2024 vide which the petitioner was declared as proclaimed offender.

Learned counsel for the petitioner submits the petitioner could not appear in Court on one date i.e.02.08.2023 due to health issues. Due to which, bail/surety bonds were ordered to be forfeited to the State. On 07.10.2023, the petitioner went to the Court below and came to know that his bail/surety bonds forfeited to the State and on that date non-bailable warrants were issued for 06.01.2024. The petitioner is suffering from severe alcoholism which has caused deterioration of mental health as well as well physical and he was under treatment for the same when he skipped the proceedings and was under medication as well as observations. On 06.01.2024, proclamation warrants under



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Section 82 Cr.P.C. were issued against the petitioner and thereafter, on 01.05.2024, the petitioner was declared proclaimed offender. The petitioner did not have any intention to avoid attendance in the Court proceedings he was otherwise appearing regularly on each and every date before the Court. He undertakes that the petitioner will surrender before the trial Court and shall join the trial proceedings without any delay or default in future.

Notice of motion. On the asking of the Court, learned State Counsel accepts notice on behalf of the respondent-State, who is not averse to the undertaking given by the petitioner that he will surrender before the trial Court.

Considering the submissions made by learned counsel and also in appreciation of the fact that it will only speed up the proceedings before the Trial Court which is one of the essence as enshrined under Article 21 of the Constitution of India, the petitioner is directed to surrender before the trial Court within a period of one week from today and apply for regular bail.

In case, such an application for bail is to be moved by the petitioner before the trial Court, the same shall be considered on the same date and to be decided in accordance with law.

However, it is made clear that in case the petitioner does not abide by the aforesaid undertaking, the respondent/State shall be at liberty to move an appropriate application for revival of the instant petition.



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The aforesaid order/concession to the petitioner shall be subject to payment of costs of Rs.10,000/- to be deposited with the Punjab and Haryana High Court Bar Association, Chandigarh (Account No.65035682434, IFSC Code: SBIN0050306) and a receipt of the same be produced before the Trial Court and only in that eventuality, application of the petitioner for seeking bail be considered and decided on the same day in accordance with law.

The instant petition is disposed of in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

10.05.2024
anuradha

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>