



CRM-M-56986-2024

-1-

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

CRM-M-56986-2024

Date of Decision: 18.11.2024

Amrik Singh Mondair

..... Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Aayush Gupta, Advocate, for the petitioner.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for quashing of the impugned order dated 12.07.2023 (Annexure P-1) passed by learned Sub Divisional Judicial Magistrate, Payal, District Ludhiana, whereby, the petitioner has been declared proclaimed offender in Criminal Complaint No.20 dated 06.08.2015/CIS No.Comi-30-2015 titled as Baghel Singh vs. Amrik Singh and others, under Sections 420, 467, 468, 471, 120-B IPC and further consequential proceedings arising therefrom.

2. It has been contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present FIR. He has submitted that the petitioner is a USA citizen and behind his back, the complaint was lodged by his nephew and proceedings under Section 82 of Cr.P.C. were initiated against the petitioner in the present case. He submits that thereafter, the petitioner was declared proclaimed offender on 12.07.2023. He submits that now the petitioner has returned India and is keen to join the proceedings and face the trial in the above said case and as such the order 12.07.2023 are liable to be set aside and he be allowed to be



released during the pendency of the trial of the above said case.

3. Notice of motion.

4. Mr. Tarun Aggarwal, Sr. DAG, Punjab, accepts notice on behalf of the State and has submitted that the petitioner has rightly been declared as proclaimed person by the trial Court as he remained absent from Court for a long time.

5. Heard.

6. After hearing learned counsel for the parties and perusing the record, it is evident that due to his non-appearance before the trial Court on various dates, he was declared proclaimed offender. Now the petitioner is keen to join the proceedings and face the trial. In these circumstances, when the petitioner is ready to join the proceedings and face the trial, no useful purpose would be served by sending him behind the bars, therefore, the order dated 12.07.2023 is set aside subject to payment of Rs.10,000/- as costs to be paid to Punjab and Haryana High Court Employees Welfare Association by the petitioner within a period of seven days from today.

7. The petitioner is directed to appear before the trial Court within a period of ten days from today and file an appropriate application alongwith receipt of costs of Rs.10,000/- and the trial Court would grant him bail till the disposal of the case on his furnishing bail/surety bonds to its satisfaction. The petitioner will have protection from arrest for a period of ten days from today. The trial Court is free to impose any condition on the petitioner while admitting him to bail.

8. Needless to say that in case the petitioner fails to comply with the abovesaid direction, this order would be of no avail to him and the order

dated 12.07.2023 will come in force and the present petition shall be deemed to have been dismissed.

9. Petition stands disposed of in abovesaid terms.

18.11.2024			(RAJESH BHARDWAJ)
sharmila			JUDGE
	Whether Speaking/Reasoned	:	Yes/No
	Whether Reportable	:	Yes/No