



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

225

CRM-M-7088-2025 (O & M)

Date of decision: 10.12.2025

Jagjivan Singh @ Jagjiwan Singh @ Jaggu

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Sukhbir Maandi, Advocate, for the petitioner.

Mr. Manipal Singh Atwal, DAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. The present petition has been filed under Section 528 of BNSS, 2023, for quashing the order dated 29.10.2024, Annexure P-5, passed by learned Sub Divisional Judicial Magistrate, Zira, District Ferozepur, vide which the petitioner has been declared proclaimed offender in case FIR No.43 dated 12.06.2024, under Sections 364 and 120-B IPC (later on added offence under Section 302 IPC), registered at Police Station City Zira, District Ferozepur.

2. Learned counsel submits that on 27.08.2024, the police official moved an application for issuance of non-bailable warrants against the petitioner and learned trial Court adjourned the case for 02.09.2024 and observed that the police has not produced any DDR vide which he was nominated in the present FIR and thereafter, learned trial Court issued his production warrant for 07.09.2024 and on that date, the Court observed that non bailable warrants issued against him were received back with the report that he had not come back to his house since long, from which it reflects that he is avoiding service intentionally as

such the proclamation under Section 82 Cr.P.C. issued against him and vide the order impugned in the present petition, he was declared as proclaimed offender, while observing that proclamation issued against him received back duly effected and statement of serving official has been recorded in which he stated that he executed the proclamation on 28.09.2024, which shows that period of 30 days have already been lapsed. He, on instructions, submits that the petitioner is ready to surrender before the trial Court and prays that his bail application be directed to be decided within a time bound manner.

3. Learned State counsel submits that the proclamation proceedings have been rightly issued against the petitioner, as he had absented from the proceedings.

4. Heard.

5. The very purpose of issuance of warrants of arrest, is to compel and secure the presence of the accused to face trial and establish the rule of law, as also to ensure finalization of the proceedings.

6. This Court in CRM-M-36490-2022, titled as **Major Singh vs. State of Punjab**, decided on 15.09.2022, CRM-M-38277-2022, **Surjit Singh vs. State of Punjab**, dated 26.08.2022 and CRM-M-39000-2022, titled as **Raghav vs. State of Punjab**, decided on 09.09.2022, had set aside the orders of non-bailable warrants.

7. Considering the facts and circumstances of the case, judgments referred to hereinabove, the readiness and willingness of the petitioner to surrender and join the proceedings, which was incumbent upon him for the culmination of the same, in the interest of justice, so as to facilitate expediting the trial and for taking it to its logical end, the

present petition is allowed and the impugned order dated 29.10.2024, Annexure P-5, is set aside with a direction to the learned trial Court that in case the petitioner surrenders within a period of 07 days from today and files an application for grant of bail, it be decided within 03 days forthwith.

8. Before parting with this order, it is made abundantly clear that in case the petitioner does not adhere to the aforesaid, the present petition shall be deemed to have been dismissed without any reference to this Court.

10.12.2025
dinesh

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No