



CRM-M-11009-2025

-1-

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

**CRM-M-11009-2025**

Date of Decision: 27.02.2025

Balwinder Singh @ DC

..... Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present: Mr. Balbir Singh Jaswal, Advocate, for the petitioner.

**Rajesh Bhardwaj, J. (ORAL)**

1. Prayer in the present petition is for quashing of the order dated 29.10.2024 (Annexure P-17) passed by learned trial Court, whereby the petitioner has been declared as proclaimed offender in FIR No.31 dated 25.02.2022, under Sections 379-B IPC and Sections 25/54/59 of the Arms Act (Section 411 IPC added lateron), registered at Police Station Beas, District Amritsar.

2. It has been contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. He has submitted that the petitioner was granted regular bail by learned trial Court vide order dated 30.05.2022 and thereafter, he was regularly appearing before it. He submits that due to miscommunication, he could not appear before the Court and his bail was cancelled and non-bailable warrants were issued against him vide order dated 29.08.2024. In the meantime, the petitioner asked his counsel to take steps to get the proceedings stayed, but no such steps were taken and thereafter, ultimately on 29.10.2024, the petitioner was declared as proclaimed offender. He submits that now petitioner is keen to join the proceedings and face the trial in the above said



case and as such the order 29.10.2024 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 offender by the trial Court as he remained absent from Court for a long time.

5. After hearing learned counsel for the parties and perusing the record, it is evident that due to non-appearance of the petitioner, he was declared as proclaimed offender on 29.10.2025. The reason for not appearing before the trial Court given by the petitioner is miscommunication. The Court without going into the authenticity of the ground taken for the absence of the petitioner, deems it appropriate to direct the petitioner to appear before the Court concerned to face the trial in the present case as now he 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 29.10.2024 is set aside subject to payment of Rs.15,000/- as costs to be paid to Spinal Rehab Centre, Chandigarh, Plot No.1, Madhya Marg, Sector-28-A, Chandigarh by the petitioner within a period of seven days from today.

6. 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.15,000/- and the trial Court would grant him bail till the disposal of the case on his furnishing bail/surety bonds

subject 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 it likes on the petitioner while admitting him to bail.

7.           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 29.10.2024 will come in force and the present petition shall be deemed to have been dismissed.

8.           Petition stands disposed of in abovesaid terms.

|                   |                           |   |                          |
|-------------------|---------------------------|---|--------------------------|
| <b>27.02.2025</b> |                           |   | <b>(RAJESH BHARDWAJ)</b> |
| sharmila          |                           |   | <b>JUDGE</b>             |
|                   | Whether Speaking/Reasoned | : | Yes/No                   |
|                   | Whether Reportable        | : | Yes/No                   |