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

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CRM-M-13490-2025 (O&M)

Date of decision: 28.03.2025

Lovepreet Singh @ Lovi @ Lovepreet Singh Bhullar**...Petitioner****Versus****State of Punjab and another****...Respondents****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Ankush Singla, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab.

Mr. Ravish Bansal, Advocate
for respondent No. 2/complainant.

MANISHA BATRA, J. (Oral)**1. CRM-12975-2025**

Allowed as prayed for.

Documents are taken on record.

2. Main case

The instant petition has been filed by the petitioner under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of order dated 07.10.2021 (Annexure P-5), passed by the Court of learned Judicial Magistrate First Class, Barnala in case titled as *State vs. Dhanna Singh etc.*, arising out of FIR No. 191 dated 27.05.2019, registered under Sections 323, 341, 506 and 34 of IPC at Police Station City Barnala, District Barnala, whereby bail of the petitioner was cancelled and non-bailable warrants were issued against him and also for quashing of order dated 04.06.2022

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(Annexure P-7), whereby the petitioner had been declared a proclaimed offender.

3. Learned counsel for the petitioner has submitted that the petitioner was falsely implicated in the aforesaid case. The petitioner was on bail and was regularly appearing before the learned trial Court. However, he absented himself on account of the fact that a compromise had been effected between the parties and he was under a *bona fide* impression that he had been exonerated. It is further submitted that a petition bearing **CRM-M-13616-2025** seeking quashing of the aforesaid FIR has already been filed before this Court, which is pending for 25.05.2025. Co-accused Dhanna Singh, who faced full length trial, has already been acquitted by the learned trial Court, vide judgment dated 03.01.2025. Even otherwise, the petitioner had been declared a proclaimed person without following the proper procedure prescribed under Section 82 of Cr.P.C. The petitioner is ready to join the Court proceedings. Hence, it is urged that the impugned order is liable to be set aside.

4. Learned counsel for respondent No. 2 has admitted the factum of compromise having arrived at between the parties. However, learned Senior Deputy Advocate General, Punjab has opposed the prayer of the petitioner.

5. After hearing learned counsel for the petitioner, no major lacuna is found in the impugned orders. However, keeping in view the fact that the petitioner is ready to join the Court proceedings which would obviously help in speedy conclusion of trial, the present petition is disposed of. The petitioner is directed to surrender before the learned trial Court within a period of 20 days from today and on doing so, the learned trial Court shall release him on bail, subject to his furnishing fresh personal/surety bonds to its satisfaction.

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6. Till the appearance of the petitioner before the learned trial Court, his arrest shall remain stayed.

7. It is made clear that in case the petitioner fails to appear before the learned trial Court within the stipulated time, this petition shall be deemed to be dismissed.

8. However, this relief shall be subject to payment of cost of Rs. 5,000/-, to be deposited by the petitioner with the District Legal Services Authority, Barnala.

28.03.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No