

2025:PHHC:038182



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

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**CRM-M-15430-2025
Decided on:20.03.2025**

Sarabjit Singh alias @ Shabba

...Petitioner

Versus

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice Rajesh Bhardwaj

**Present: Mr. Yajur Sharma, Advocate,
for the petitioner.**

Rajesh Bhardwaj, J. (Oral)

1. Prayer in the present petition, filed under Section 528 of the BNSS, 2023, is for quashing the order dated 29.07.2024 (Annexure P-4) vide which the petitioner has been declared as a 'proclaimed offender' in case FIR No.54 dated 08.08.2023, registered under Sections 302, 506, 120-B of IPC and Sections 27 & 25 of the Arms Act, 1959, at Police Station Mehta, Amritsar Rural, District Amritsar.

2. Learned counsel for the petitioner submits that the petitioner has been prosecuted in the aforesaid FIR case and has been declared as 'proclaimed offender' vide the impugned order dated 29.07.2024 (Annexure P-4). He submits that the declaration of the petitioner as 'proclaimed offender' is in violation of the statutory provisions of Sections 82 & 83 of Cr.P.C. and also the settled principles of law.

3. After arguing for some time, learned counsel for the petitioner submits that the petitioner is ready to surrender before the trial Court, however, he may be granted some protection for appearing before the trial Court.

4. Notice of motion.

5. On asking of the Court, Mr. Tarun Aggarwal, Sr. DAG, Punjab, accepts notice on behalf of the State and opposed the submissions made by counsel for the petitioner. He submits that the petitioner has intentionally absconded the

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6. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner in the present case was arrayed as an accused in the aforesaid FIR case and has ultimately been declared as a proclaimed offender vide the impugned order dated 29.07.2024. The arguments raised by counsel for the petitioner and the State are totally within the domain of the trial Court and this Court would refrain from commenting anything on the same. However, the petitioner is ready to surrender before the trial Court and join investigation.

7. Thus, keeping in view the abovesaid facts, the present petition is disposed of and the order dated 29.07.2024 (Annexure P-4), declaring the petitioner as a proclaimed offender, is set aside, subject to payment of Rs.25,000/- as costs, to be deposited with the Day Care Centre for Elderly Disabled in home for Old & Destitute People, Sector-15, Chandigarh, within a period of 07 days from today. In case the petitioner appears before the trial Court and files appropriate bail application along with receipt of costs before the trial Court within a period of 10 days from today, the trial Court shall decide the said bail application in accordance with law expeditiously and the petitioner will have protection from arrest till the decision of the bail application, to be filed by him before the trial Court.

8. Needless to say that in case the petitioner fails to comply with the abovesaid direction, he will have no benefit of this order and the order under challenge would stand automatically revived and the present petition shall be deemed to have been dismissed.

9. Disposed of in above terms.

March 20, 2025
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(Rajesh Bhardwaj)
Judge

Whether Speaking/Reasoned: NO/YES
Whether Reportable: NO/YES