



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

125

CRM-M-18452-2025

DATE OF DECISION: 04.04.2025

KULDEEP SINGH ALIAS KULDIP SINGH

...PETITIONER

Versus

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. K.K. Saini, Advocate for the petitioner(s).

Mr. Jaspal Singh Guru, AAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 528 of B.N.S.S for quashing of the order dated 23.7.2024 (Annexure P-2) qua the petitioner vide which the petitioner and his son (Amrinder Singh) has been declare Proclaimed Offender in a case FIR No 0183 dated 29.10.2021 under section 420/406/120-B of IPC, registered at Police Station Haryana, District Hoshiarpur by the Trial court.

Learned counsel for the petitioner submits that though non-bailable warrants were issued against the petitioner but it was received by his wife and she did not inform the petitioner about the same and



even subsequent thereto proclamation summons could not be effected upon the petitioner, hence, he could not appear before the Trial Court.

He submits that the petitioner is suffering from partial paralysis and is unable to earn his livelihood and to manage his daily needs. It is his further contention that the petitioner did not had any intention to avoid attendance in the Court proceedings. He undertakes that the petitioner will surrender before the trial Court and shall join the trial proceedings without any delay or default in future.

Notice of motion.

On the asking of the Court, learned State Counsel accepts notice on behalf of the respondent-State, who is not averse to the undertaking given by the petitioner that he will surrender before the trial Court.

Considering the submissions made by learned counsel and also in appreciation of the fact that it will only speed up the proceedings before the Trial Court which is one of the essence as enshrined under Article 21 of the Constitution of India, the impugned order dated 23.07.2024 is hereby set aside and the petitioner is directed to surrender before the trial Court within a period of 10 days from today and apply for regular bail.

In case, such an application for bail is moved by the petitioner before the learned trial Court, the same shall be considered on the same date and decided in accordance with law.

However, it is made clear that in case the petitioner does not abide by the aforesaid undertaking, the respondent/State shall be at



liberty to move an appropriate application for revival of the instant petition.

The instant petition is disposed of in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

04.04.2025
anuradha

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>