



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

248

**CRM-M-22112-2024
DATE OF DECISION: 04.07.2025**

BIKRAMJEET SINGH**...PETITIONER**

Versus

STATE OF HARYANA AND ANOTHER**... RESPONDENTS****CORAM: HO MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Sandeep Chopra, Advocate for the petitioner(s).

Mr. B.S.Virk, Sr. DAG, Haryana.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 482 Cr.PC to quash/set aside order dated 01.07.2022 (Annexure P-2) passed by the Ld. Court of Sh Ashwani Gupta, JMIC Kaithal, whereby, the petitioner was wrongly declared as Proclaimed Person in a Complaint Case bearing number NACT/729/2017 titled as "Sewa Singh Vs Bikramjit Singh", alongwith all consequent and subsequent proceedings arising therefrom, in the facts and circumstances detailed herein below, in the interest of justice.

Learned counsel for the petitioner submits that after the filing of the complaint (Annexure P-2), the petitioner kept on appearing regularly before Trial Court. Thereafter, due to COVID Pandemic the Court working was not regular and the counsel for the petitioner did not inform the petitioner the date of hearing in the complaint and due to the



said reason the petitioner could not appear before Trial Court and his bail was cancelled vide order dated 19.04.2021 and the petitioner was not informed about the same by the counsel and further, without following the due procedure enshrined under Section 82 Cr.P.C. he was declared proclaimed person. He submits that the petitioner did not had any intention to avoid attendance in the Court proceedings otherwise he was appearing regularly on each and every date before the Court. 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 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 aforesaid order/concession to the petitioner shall be subject to payment of Rs.25,000/- as compensatory penalty to be deposited with the Punjab and Haryana High Court Bar Clerk Association, Chandigarh and a receipt of the same be produced before the Trial Court and only in that eventuality, application of the petitioner for seeking bail be considered and decided on the same day in accordance with law.

The amount so deposited by the petitioner shall not be construed as cost for this order but compensatory penalty for stalling the court proceedings by evading himself from trial for a long time.

The instant petition is disposed of in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

04.07.2025
anuradha

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