



121

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

CRM-M No.23823 of 2024

Date of Decision : 28.11.2025

Alam Singh

.....Petitioner

versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Dushant Jog, Advocate and
Mr. H. S. Saini, Advocate
for the petitioner.

Ms. Ramta Chowdhary, DAG, Punjab.

RAJESH BHARDWAJ, J. (Oral)

CRM-46422-2025

Allowed.

CRM-M-23823-2024

1. Present petition has been filed praying for quashing of P.O. proceedings initiated under Section 82 of Cr.P.C. or any order passed by the police authorities/trial Court declaring the petitioner as a proclaimed offender in case bearing FIR No.55, dated 07.06.2016, under Sections 406, 420, 465, 468, 471, 120-B of IPC, registered at Police Station Phase 8, SAS Nagar, Mohali. Further prayer has been made for allowing the petitioner to come to India so that he can defend himself in abovementioned FIR.



2. It has been contended by learned counsel for the petitioner that the petitioner has been falsely prosecuted in FIR No.55, dated 07.06.2016, under Sections 406, 420, 465, 468, 471, 120-B of IPC, registered at Police Station Phase 8, SAS Nagar, Mohali. He has submitted that the petitioner is a US citizen and in his absence, he has been declared proclaimed offender. He has submitted that when the notice was issued, the petitioner was not aware about the same, however subsequently, he came to know about the same from the challan filed that he has been declared proclaimed offender. He has submitted that *de hors* the allegations made, the petitioner is ready to return to India and join the proceedings. To show his bona fide, he has placed on record Air Tickets of the arrival of petitioner that he will land in India on 11.12.2025. He has thus submitted that the impugned order being unsustainable in the eyes of law, deserves to be set aside. He has submitted that the petitioner be granted protection for appearing before the trial Court.

3. Learned counsel for the State has opposed the submissions made by learned counsel for the petitioner and has submitted that the petitioner has rightly declared as proclaimed offender, who remained absent from the Court without any valid reason..

4. Heard.

5. After hearing counsel for the parties and perusing the record, it is apparent that the petitioner was prosecuted in FIR No.55, dated 07.06.2016, under Sections 406, 420, 465, 468, 471, 120-B of IPC, registered at Police Station Phase 8, SAS Nagar, Mohali. However, the petitioner remained absent as he was never served with any notice of



proclamation under Section 82 of Cr.P.C. and thereafter he was declared as proclaimed offender. As submitted by learned counsel for the petitioner that the petitioner is in abroad and will return to India on 11.12.2025. Without commenting anything about the authenticity of the ground of absence taken by the petitioner, this Court proceed to decide the matter as now the petitioner is ready and keen to join the proceedings. So keeping in view the abovesaid facts, the present petition is disposed of and the impugned order declaring the petitioner as proclaimed person/offender is *set aside* subject to payment of costs of Rs.2,00,000/- (**Rs.50,000/- to be paid to the Punjab and Haryana High Court Bar Association, Chandigarh, Rs.50,000/- to be paid to the High Court Employees' Welfare Association, Chandigarh, Rs.50,000/- to be paid to the Day Care Centre for Elderly Disabled Home for Old & Destitute People, Sector 15, Chandigarh and Rs.50,000/- to be paid to the Spinal Rehab Centre, Sector 28-A, Madhya Marg, Chandigarh**)) within a period of 07 days from the date of his landing in India. The petitioner is directed to appear before the trial Court within a period of 10 days from the date of his arrival and files appropriate application along with the receipt of deposit of above-said costs, then the trial Court will admit him to bail subject to its satisfaction during the pendency of trial and proceed with the trial as per law. Petitioner will have protection from arrest for a period of 10 days from the date of his arrival in India.

6. Needless to say that in case the petitioner fails to comply with the abovesaid direction within the stipulated period, he have no benefit of this order and the order declaring the petitioner as proclaimed



offender/person would stand automatically revived and the present petition shall be deemed to have been dismissed.

7. Disposed of in above terms.

28.11.2025

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(RAJESH BHARDWAJ)

JUDGE