



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

CRM-M-26598-2025

DATE OF DECISION: 15.05.2025

RAJAN KATNA

.....PETITIONER

Vs.

BAJOTRA TRADING CO. AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Vipin Mahajan, Advocate,
 for the petitioner.

HARPREET KAUR JEEWAN, J. (ORAL)

1. Petition under Section 528 of the '*Bharatiya Nagarik Suraksha Sanhita*', 2023, has been filed for quashing of the impugned order, dated 07.01.2025 (Annexure P-9), passed by learned Judicial Magistrate Ist Class, Batala, whereby, the petitioner has been declared as a Proclaimed Person in case NACT/319/2020 and all consequential proceedings arising therefrom.

2. Learned counsel for the petitioner contends that petitioner was regularly appearing before the trial Court except some occasions when he sought exemption from appearance and was on regular bail, in terms of the order dated 01.06.2022 (Annexure P-3). However, after 07.08.2024 he could not appear before the trial Court. The matter was adjourned from time to time and ultimately, the learned trial Court has declared the petitioner as a Proclaimed Person, vide order dated 07.01.2025 (Annexure P-9), without following due procedure under Sections 82 and 84 of BNSS.



Hence, in the aforementioned facts and circumstances, the petitioner be protected till his appearance before the learned trial Court, and directions be given to the trial Court that his application of bail, which he would be filing on his surrender, be decided expeditiously.

3. Notice of motion to respondent No.2 only.

4. On the asking of the Court, Ms. Ramta Chowdhary, D.A.G., Punjab, who is present in the Court accepts notice on behalf of respondent No.2-State.

5. In view of the facts of the present case, this Court feels that issuance of notice to respondent No. 1-complainant would unnecessarily delay the proceedings, as such, issuance of notice to respondent No. 1-complainant is dispensed with.

6. In view of the limited prayer made by the learned counsel for the petitioner, the instant petition is disposed of with directions to the petitioner to appear and surrender before the trial Court within 10 days from today. Till then, no coercive steps be taken against the petitioner. Since, the petitioner has evaded the Court proceedings for a long time, in order to compensate the complainant, it is hereby ordered that this order shall be subject to payment of costs of ₹10,000/- to be paid to the complainant-respondent No.1, which shall be a condition precedent.

7 In case, on appearance and surrender within 10 days from today, the petitioner moves an application for bail, the trial Court shall make earnest efforts to decide it expeditiously, in accordance with law.



8. In case there is a failure on the part of the petitioner, this order shall remain automatically vacated and learned trial Court shall be at liberty to proceed as per law.

9. Pending miscellaneous application(s), if any, shall also stand disposed of.

MAY 15, 2025
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(HARPREET KAUR JEEWAN)
JUDGE

Whether Speaking	Yes
Whether Reportable	No