



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

134

CRM-M-27693-2025

DATE OF DECISION: 20.05.2025

GURPREET SINGH**...PETITIONER****Versus****PARAMJIT SINGH AND ANOTHER****... RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Ms. Pooja, Advocate for
Mr. Ritesh Pandey, Advocate the petitioner(s).
Mr. J.S. Rattu, DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 528 BNSS for quashing of Criminal complainant bearing number COMI/133/2017 dated 26.07.2017 titled as 'Paramjit Singh Verus Sukhjit Singh' under Sections 326,323,324,431,434,34 IPC and order dated 05.12.2024 vide which petitioner was declared as Proclaimed person (Annexure P-4).

At the outset, learned counsel for the petitioner confines his prayer to quash the order dated 05.12.2024 vide which the petitioner was declared Proclaimed person. He submits that the petitioner could not appear in Court for hearing as he went abroad in July in search of job and to meet his relatives, hence, the Trial Court cancelled the bail of the petitioner; issued non-bailable warrants of arrest and the petitioner 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.10,000/- to be deposited with the Punjab and Haryana High Court Employees' Welfare Association 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 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

20.05.2025
anuradha

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