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129 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARHCRM-M-27956-2025 (O&M)
DATE OF DECISION: 29.05.2025

PRITAM SINGH KALSI

.....PETITIONER

Vs.

M/S BHULLAR ASSOCIATES

.....RESPONDENT

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Kushagra 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 impugned order, dated 23.09.2024 (Annexure P-9), passed by learned Judicial Magistrate Ist Class, Chandigarh, whereby, the petitioner has been declared as a 'Proclaimed Person' and all consequential proceedings arising therefrom.
2. Learned counsel for the petitioner *inter alia* contends that the petitioner was summoned by the trial Court, vide order dated 06.06.2023 (Annexure P-2) for 24.08.2023 but due to some personal reason the petitioner could not appear before the trial Court on 24.08.2023 and on that date bailable warrants were issued by the trial Court against the petitioner for 06.11.2023. On 06.11.2023 the Presiding Officer was on leave and case was adjourned for 25.01.2024. Thereafter, the matter was adjourned from time to time and ultimately, the trial Court has declared the petitioner as a 'Proclaimed Person', vide order dated 23.09.2024 (Annexure P-9).



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2.1 He further submits that without following proper procedure under Section 82 of Cr.P.C. and without service of notice and bailable warrants, the petitioner has been declared as 'proclaimed person' by the trial Court by passing the impugned order.

2.2 It is submitted that the petitioner is ready to join the proceedings and he may be protected till his appearance before the learned trial Court, and directions be given to the trial Court that his bail application, which he would be filing on his surrender, be decided expeditiously.

3. In view of the facts of the present case, this Court feels that issuance of notice to the respondent would unnecessarily delay the proceedings, as such, issuance of notice to the respondent is dispensed with.

4. In view of the above, the petitioner is directed to appear and surrender before the trial Court within 10 days from today. Till then, no coercive steps be taken against the petitioner.

5. 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.

6. This order is subject to payment of costs of Rs.20,000/-, to be paid to the respondent-complainant within one week from today either by way of demand draft or through proper receipt.

7. In case of 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.

8. Liberty is also reserved in favour of the respondent-complainant to seek cancellation/recalling of this order in case it is found that the petitioner has misrepresented the facts and upon showing any other sufficient cause.

9. The present petition is accordingly disposed of.

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

MAY 29, 2025
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(HARPREET KAUR JEEWAN)
JUDGE

Whether Speaking	Yes
Whether Reportable	No