



CRM-M-29711-2025

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

CRM-M-29711-2025**Date of decision:28.05.2025****SURJIT SINGH AND ANOTHER**

.....Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE H.S. GREWAL**Present:** Mr. Sukhbir Maandi, Advocate
for the petitioner.

Mr. Kamalpreet Bawa, DAG, Punjab.

H.S. GREWAL J. (Oral)

1. The present petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 seeking quashing of order of proclamation dated 05.09.2023 (Annexure P-4) passed by learned Sub Divisional Judicial Magistrate, Baba Bakala Sahib, District Amritsar arising out of complaint No.NACT-56/2018 instituted on 20.04.2018 titled as 'Baljinder Singh Vs. M/s. Piara Singh and another' under Section 138 of Negotiable Instruments Act, 1881 whereby the petitioners have been declared as a proclaimed persons.

2. Learned counsel for the petitioners contends that on 13.07.2023, due to non appearance of the petitioners, the trial Court cancelled the bail bonds as well as surety bonds of the petitioners and issued warrants of arrest against the petitioners for 28.07.2023. Thereafter, again on 28.07.2023, the trial Court issued proclamation under Section 82 of Cr.P.C. for 14.08.2023. However, he submits that the petitioners are ready and willing to join the proceedings and shall appear before the trial Court as and when required. Learned counsel for



the petitioners, on instructions further submits that the petitioners undertake to appear before the trial Court concerned on each and every date and shall not seek any exemption for his personal appearance on any date of hearing before the trial Court. Hence, in the aforementioned facts and circumstances, the petitioners pray that directions be issued to the Trial Court concerned that his bail application, which he would be filing on his surrender, be decided.

3. Notice of motion.

4. Mr. Kamalpreet Bawa, DAG, Punjab, accepts notice on behalf of the respondent-State.

5. Keeping in view the facts of the case, the service of respondent no.2 is dispensed with as it will delay the proceedings.

6. I have heard learned counsel for the parties and perused the material placed on record.

7. No ground to interfere in the impugned order dated 05.09.2023 is made out and the present petition is hereby, **dismissed**.

8. However, the petitioner is directed to appear and surrender before the trial Court concerned within a period of 07 days from today at 10.00 A.M. and may file application for bail before the trial Court. The same be considered and decided by the trial Court concerned on the same day, in accordance with law.

28th May, 2025

Sonia Puri

Whether speaking/ reasoned

Whether reportable

: Yes / No

: Yes / No

(H.S. GREWAL)
JUDGE