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

CRM-M-30157-2025
Date of decision: 29.05.2025

RAJ KUMAR BHAGIRATH

.....Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE H.S. GREWAL

Present: Mr. Vikas Bali, Advocate for the petitioner.

H.S. GREWAL J. (Oral)

1. The petitioner is seeking quashing of order of proclamation dated 17.11.2022 (Annexure P-4) and 27.03.2023 (Annexure P-7) passed by learned Judicial Magistrate Ist Class, Ludhiana whereby bail bonds/ surety bonds were cancelled and forfeited and the petitioner was declared as proclaimed person in FIR No.4 dated 23.01.2017 under Sections 420, 465, 467, 468, 471, 120-B of IPC registered at Police Station NRI, District Ludhiana City.

2. It is contended that vide order dated 17.09.2021, the petitioner has been granted bail and was regularly appearing before the Trial Court. He further contends that due to non appearance of the petitioner, vide order dated 17.11.2023, bail bonds/ surety bonds of the petitioner were cancelled and non bailable warrants were issued. Thereafter, vide order dated 27.03.2023, the petitioner was declared as a proclaimed person.

3. Learned counsel for the petitioner, on instructions submits that the petitioner undertakes 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 petitioner prays that directions be issued to the Trial Court



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concerned that his bail application, which he would be filing on his surrender, be decided expeditiously.

4. I have heard learned counsel for the petitioner and perused the material placed on record.

5. Keeping in view the facts of the case, the service of respondent is dispensed with as it will delay the proceedings.

6. In view of the above, the instant petition is allowed and 17.11.2022 (Annexure P-4) and 27.03.2023 (Annexure P-7) passed by learned Judicial Magistrate Ist Class, Ludhiana, in FIR No.4 dated 23.01.2017 under Sections 420, 465, 467, 468, 471, 120-B of IPC registered at Police Station NRI, District Ludhiana City are set aside, subject to the condition that the petitioner shall appear and move an application for bail before the trial Court concerned within a period 07 days from today subject to costs of Rs.20,000/- to be paid to the District Legal and Services Authority concerned and the concerned Court shall release the petitioner on bail on the same day, subject to his furnishing bail bonds/ surety bonds to its satisfaction and imposing reasonable conditions as it may deem appropriate in the background of the petitioner-accused conduct.

7. It is made clear that in case, the petitioner fails to surrender before the Court concerned within 07 days from today, this order shall be of no avail to him, thereafter.

29th May, 2025

Sonia Puri

(H.S. GREWAL)
JUDGE

Whether speaking/ reasoned : Yes / No
Whether reportable : Yes / No