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

CRM-M-34910-2024 (O&M)

Date of decision : 18.12.2025

Balram Singh**.....Petitioner****versus****State of Punjab****.....Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr. Gursewak Singh, father and Mr. Dhanwat Singh, cousin brother of the petitioner in person.

RAJESH BHARDWAJ, J. (Oral)

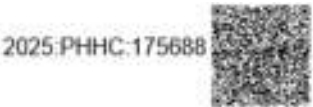
1. Prayer in the present petition is for quashing/setting aside of the impugned orders dated 28.02.2022 passed by learned Sub Divisional Judicial Magistrate, in complaint bearing COMI No.19 of 2018 titled as '**Jagsir Singh vs. Beant Singh and others**' under Sections 325, 323 and 34 of IPC whereby the petitioner has been declared as proclaimed offender. Further prayer has been made for staying the further proceedings before the trial Court.

2. Father of the petitioner, who appears in person, has submitted before this Court that his son i.e. petitioner-Balram Singh was a juvenile at the time of occurrence dated 30.05.2014. He submits that the petitioner was born in 1997. It is submitted that the enquiry was conducted in which the petitioner was found innocent, however, the complainant did not agree with the same. It is submitted that the petitioner is a citizen of Canada and is residing there. It is submitted that in his absence, the petitioner was declared a proclaimed offender in violation of the settled principal of law.



It is submitted that the petitioner was granted interim relief by this Court vide order dated 23.07.2024 and operation of impugned order was stayed subject to payment of costs of Rs.1,00,000/- and period of 08 weeks was granted to him to appear before learned trial Court. It is submitted that due to some unavoidable circumstances, the petitioner could not return to India within the stipulated period of 08 weeks from Canada, as already directed by this Court on 23.07.2024. It is further submitted that the petitioner is now ready to appear before the trial Court and join the proceedings and face the trial and for the said purpose, he is returning to India on 02.01.2026. To show his bona fide, he has placed on record the travel/air tickets, as Annexure A-2. He further submits that the petitioner is ready to abide by the terms and conditions if any imposed by this Court.

3. In view of the above submissions, it is apparent that petitioner was in abroad and in his absence, he was declared as Proclaimed offender. In view of the fact that the petitioner is now keen to join the proceedings and face the trial in the present case as is clear from the fact that he is returning to India on 02.01.2026 for the said purpose. So, without going into the merits of the case, this Court is of the opinion that it would be appropriate if one opportunity is granted to the petitioner to surrender before the trial Court and face the trial. Consequently, the present petition is disposed of and the order dated 28.02.2022 is *set aside* subject to payment of further costs of Rs.25,000/- to be paid to **Day Care Centre for Elderly Disabled in Home for Old & Destitute People, Sector-15, Chandigarh** along with cost of Rs.1,00,000/- as earlier imposed upon him vide order dated 23.07.2024 to be paid to **Sadhna Society for the Mentally Handicapped, Near Housing Board Chowk, Raen Basera Building, Manimajra, Sector-13, Chandigarh** within a period of 10 days from the date of his arrival. The



petitioner is directed to appear before the trial Court and file appropriate application along with the receipt of costs before the trial Court within a period of 10 days from that day and thereafter, the trial Court will admit him to bail subject to its satisfaction during the pendency of trial and proceed with the trial as per law. Petitioner will have protection from arrest for a period of 10 days from the date of his arrival in India.

4. Needless to say that in case the petitioner fails to comply with the abovesaid direction, he will have no benefit of abovesaid protection granted by this Court and order under challenge dated 28.02.2022 would come in force and the present petition shall be deemed to have been dismissed.

5. Since the present petition is disposed of, application bearing CRM No.45029 of 2025, also stands disposed of as having been rendered infructuous.

18.12.2025
ps-I

(RAJESH BHARDWAJ)
JUDGE

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