



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

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**CRM-M-33003-2025
DATE OF DECISION: 01.07.2025**

RAMAN KUMAR**...PETITIONER****Versus****STATE OF PUNJAB AND ANOTHER****... RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. G.S. Madaan, Advocate for the petitioner(s).

Mr. J.S. Rattu, DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

This petition has been filed under Section 528 BNSS challenging order dated 20.01.2020 (Annexure P-7) passed in complaint titled as "Jiwan Kumar and another v. M/s K.D.H. Knit Fab and another (COMA No.10460 of 2020), instituted on 01.09.2017 in the Court of Learned J.M.I.C Ludhiana, whereby the petitioner has been declared proclaimed offender wrongly, illegally and against the settled principals of law.

Learned counsel for the petitioner submits the matter was compromised between the parties and the petitioner made full payment in cash but did not take any receipt of the same. He further submits that after having made payment, proceedings did not culminate into withdrawal of the complaint rather at the back of the petitioner, he has been declared as proclaimed person and the Trial Court cancelled the



bail of the petitioner. 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.25,000/- as compensatory penalty to be deposited with the Punjab and Haryana High Court Bar Clerk Association, Chandigarh 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 compensatory 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

01.07.2025
anuradha

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