



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

(117)

**CRM-M-35154-2025 (O&M)  
Date of Decision: 06.8.2025**

Ravideep Singh @ R. Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MS. JUSTICE KIRTI SINGH**

Present: Mr. Sarju Puri, Advocate  
for the petitioner.

Ms. Guramrit Kaur, DAG, Punjab.

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**KIRTI SINGH, J. (ORAL)**

1. The present petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing the impugned order of proclamation dated 12.7.2022 (Annexure P-1), and the impugned order dated 12.9.2022 (Annexure P-2) passed by learned Judicial Magistrate Ist Class, SBS Nagar, whereby the petitioner has been declared a proclaimed person in case bearing FIR No. 63 dated 21.12.2021, under Sections 376 IPC and Section 67 of the Information Technology Act, 2000, registered at Police Station Mukandpur, District SBS Nagar.

2. Learned counsel for the petitioner submits that non-bailable warrants of arrest issued against the petitioner, were received back unexecuted, whereupon vide impugned order dated 12.7.2022 (Annexure P-1), the petitioner was ordered to be served through proclamation under Section 82 Cr.P.C. Subsequently, vide impugned order dated 12.9.2022 (Annexure P-2), passed by the learned Magistrate concerned, the petitioner



was declared a proclaimed person. The learned counsel further submits that the petitioner was neither legally and validly served at any stage of the proceedings at his correct foreign address at Italy by adopting proper procedure through the concerned Embassy nor any effort to the said regard was ever made. It has also been submitted that petitioner was not afforded a period of 30 days to put in appearance, as mandated in Section 82 Cr.P.C. The learned counsel further submit that the matter has now been amicably settled between the parties and a petition bearing No. CRM-M-1476 of 2025 seeking quashing of the present FIR has also been preferred before this Court, which is pending adjudication. Learned counsel also submits that there was no *mala fide* intention on behalf of the petitioner to evade service or conceal himself, and that the petitioner is ready to appear before the trial Court and abide by all the terms and conditions as may be imposed upon him by the trial Court.

3. Heard.

4. The objective of the coercive mechanism prescribed under the Code of Criminal Procedure, 1973 is to ensure that the accused remains present before the Court to receive the orders and punishments as are passed qua the accused. If the petitioner/accused shows his sincere intention and desire to appear before the Court, then it would not be unjustified to protect him from being arrested.

5. In view of the above, the present petition is allowed. The impugned orders dated 12.7.2022 (Annexure P-1) and dated 12.9.2022 (Annexure P-2) along with proceedings emanating therefrom are hereby set aside subject to payment of cost of Rs. 50,000/- by the petitioner to be deposited with the Poor Patient Welfare Fund, PGIMER, Chandigarh within 10 days from today. The petitioner after depositing the cost as stated above



would appear before the trial Court within 15 days and file appropriate application for bail along with receipt of payment of cost. The trial Court would release the petitioner on bail on the same bail bonds and surety bonds. No coercive action would be taken against the petitioner till then. In case, the petitioner fails to comply with the aforesaid direction within stipulated period then this order would be of no avail to the petitioner.

6. Pending miscellaneous application(s), if any, also stands disposed of.

**(KIRTI SINGH)**  
**JUDGE**

**August 06, 2025**  
**Gurpreet Singh**

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