



CRM-M-37183-2025

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

CRM-M-37183-2025

Date of Decision: 17.07.2025

Gurmit Singh @ Gurmeet Singh

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr.Ashish Pandey, Advocate, for the petitioner.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for quashing of the order dated 23.12.2024 (Annexure P-7), passed by learned trial Court, whereby, the petitioner has been declared as proclaimed person in a case FIR No.04 dated 07.01.2019, under Sections 307, 341, 506, 148, 149 IPC (lateron Section 307 deleted and Section 323 IPC added), at Police Station Dakha, District Ludhiana.

2. It has been contended by learned counsel for the petitioner that the petitioner has been falsely prosecuted in the present case. He submits that the petitioner was granted bail by learned trial Court vide order dated 22.07.2019 and thereafter, he was regularly appearing before the Court. He further submits that thereafter, an oral compromise arrived at between the parties and the petitioner was under the impression that the complaint now will not testify against him, therefore, the petitioner in order to earn his livelihood, went abroad. He submits that subsequently due to his non-appearance only on one date i.e. 05.06.2024, his bail was cancelled and he was ordered to be summoned through non-bailable warrants. He further submits that non-bailable warrants never executed and thereafter, vide



impugned order dated 23.12.2024 the petitioner was declared as proclaimed person in violation of provisions of Section 82 Cr.P.C. He has further submitted that even otherwise the co-accused have already been acquitted by learned trial Court vide judgment dated 23.12.2024. He submits that the absence of the petitioner was totally unintentional and beyond his control. He submits that now petitioner is keen to join the proceedings and face the trial in the above said case and comply with the condition, if any imposed by the Court and as such the order dated 23.12.2024 declaring the petitioner as proclaimed person, deserves to be set aside.

3. Notice of motion.

4. Mr. J.S. Arora, DAG, Punjab accepts notice on behalf of the State. He has submitted that learned trial Court has rightly declared the petitioner as proclaimed person, as he intentionally did not appear before the trial Court on several dates of hearing.

5. After hearing learned counsel for the parties and perusing the record, it is evident that due to non-appearance of the petitioner, he was declared as proclaimed person on 23.12.2024. The Court without going into the authenticity of the ground taken for the absence of the petitioner, deems it appropriate to direct him to appear before the Court concerned to face the trial in the present case, as now he is keen to join the proceedings and face the trial. In these circumstances, when the petitioner is ready to join the proceedings and face the trial, no useful purpose would be served by sending him behind the bars, therefore, the order dated 23.12.2024, declaring the petitioner as proclaimed person, is set aside subject to payment of Rs.10,000/- as costs to be paid by the petitioner to **Spinal**

Rehab Centre, Chandigarh, Plot No.1, Madhya Marg, Sector-28-A, Chandigarh within a period of seven days from today

6. The petitioner is directed to appear before the trial Court within a period of ten days from today and file an appropriate application alongwith receipt of costs of Rs.10,000/- and the trial Court would grant him bail till the disposal of the case on his furnishing bail/surety bonds subject to its satisfaction. The petitioner will have protection from arrest for a period of ten days from today. The trial Court is free to impose any condition it likes on the petitioner while admitting him to bail.
7. Needless to say that in case the petitioner fails to comply with the abovesaid direction, this order would be of no avail to him and the order dated 23.12.2024 will come in force and the present petition shall be deemed to have been dismissed.
8. Petition stands disposed of in abovesaid terms.

17.07.2025

sharmila

Whether Speaking/Reasoned

Whether Reportable

:

:

(RAJESH BHARDWAJ)

JUDGE

Yes/No

Yes/No