

2025:PHHC:087974



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

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CRM-M-37650-2025

Date of decision: July 18, 2025

RAKESH KUMAR

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Krishan Sehajpal, Advocate
for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing/setting aside of order dated 28.02.2023 (Annexure P-4) passed by learned Judicial Magistrate, Rajpura, in case FIR No.288 dated 22.12.2020 under Sections 420, 467, 468, 473, 411, 120-B of Indian Penal Code, 1860 and Sections 25, 54 and 59 of Arms Act, 1959, registered at Police Station City Rajpura, District Rajpura, vide which the petitioner was declared as a 'Proclaimed Offender'.

2. At the outset, when a pointed query was put to the learned counsel for the petitioner as to whether the petitioner is a 'Proclaimed Offender', he was unable to refute the same, however, he submits that it was on account of some family circumstances that he had shifted to Delhi, and therefore, was unaware about the proceedings in the instant FIR. Learned counsel submits that the petitioner has now learnt about the said FIR, and is ready and willing to appear and surrender before the learned trial Court.



Hence, in the aforementioned facts and circumstances, petitioner be protected till his appearance before the learned trial Court, and directions be given to the learned trial Court that his bail application, which he would be filing on his surrender, be decided expeditiously.

3. Notice of motion.

4. On asking of the Court, Mr. H.S. Deol, Sr. DAG, Punjab accepts notice on behalf of respondent-State.

5. In view of the limited prayer made by the learned counsel for the petitioner, the instant petition is disposed of with directions to the petitioner to appear and surrender before the learned trial Court within 7 days from today. Till then, no coercive steps be taken against the petitioner. This shall, however, be subject to payment of costs in the sum of Rs.10,000/- to be deposited with the concerned District Legal Services Authority concerned, which shall be a condition precedent.

6. It is made clear that in case the petitioner fails to surrender before the trial Court within 7 days from today, this order shall be of no avail to him thereafter. In case, on appearance and surrender, the petitioner moves an application for bail, the learned trial Court shall make earnest efforts to decide it expeditiously, in accordance with law.

July 18, 2025
Jaspreet Kaur

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*