



CRM-M-38468-2025

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

CRM-M-38468-2025

Date of Decision: 06.08.2025

Nrinder Singh Gosal

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Tanheer Singh Bariana, Advocate, for the petitioner.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for quashing of the order dated 28.01.2012 (Annexure P-6), passed by learned ACJM, Shaheed Bhagat Singh Nagar, whereby, the petitioner was declared as proclaimed offender in a case FIR No.08 dated 21.07.2008, under Sections 419, 420, 465, 467, 468, 471, 120-B IPC, at Police Station NRI Nawanshahr.

3. It has been contended by learned counsel for the petitioner that the petitioner has been falsely prosecuted in the present case. He submits that on 16.02.2010, when the case was registered before learned trial Court, warrants were issued to procure the presence of the petitioner, however, he had already gone to UK on 31.05.2007 and till date, he never returned. However, vide order dated 28.01.2012, the petitioner was declared as proclaimed offender, which is totally in violation of Section 82 Cr.P.C. He submits that the absence of the petitioner was totally unintentional and beyond his control. He submits that now petitioner is returning to India by 01.10.2025 and he 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 28.01.2012 declaring the petitioner as



proclaimed offender, 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 offender, as he intentionally did not appear before the trial Court.

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 offender on 28.01.2012. As submitted before this Court, now the petitioner is returning back to India on 01.10.2025. 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 come back to India and join the proceedings and face the trial, no useful purpose would be served by sending him behind the bars, therefore, the order dated 28.01.2012, declaring the petitioner as proclaimed offender, is set aside subject to payment of Rs.25,000/- as costs to be paid by the petitioner within a period of seven days from today to the **Punjab and Haryana High Court Employees Welfare Association, Chandigarh.**

6. The petitioner is directed to appear before the trial Court within a period of ten days from the date of his arrival in India and file an appropriate application alongwith receipt of costs of Rs.25,000/- 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 the date of his arrival in India. 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 28.01.2012 will come in force and the present petition shall be deemed to have been dismissed.

8. Petition stands disposed of in abovesaid terms.

06.08.2025			(RAJESH BHARDWAJ)
sharmila			JUDGE
	Whether Speaking/Reasoned	:	Yes/No
	Whether Reportable	:	Yes/No