



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

Sr. No.260

CRM-M-44266-2024(O&M)

Date of decision : 06.08.2025

JATINDER SINGH

..... Petitioner

VERSUS

STATE OF PUNJAB

..... Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. G.P.S Ghuman, Advocate
for the petitioner (through video conferencing).

Mr. Luvinder Sofat, Sr. DAG, Punjab.

KIRTI SINGH, J. (Oral)

The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973, seeking quashing of the impugned order dated 29.09.2022 (Annexure P-5) passed by the learned Additional Sessions Judge, S.A.S. Nagar, whereby the present petitioner has been declared a proclaimed offender in FIR No.198 dated 19.06.2019, registered under Section 306 IPC, with later addition of Sections 376 and 420 IPC, at Police Station Zirakpur, District S.A.S. Nagar (Annexure P-1).

2. Learned counsel for the petitioner submits that the petitioner was granted regular bail in the aforementioned case by learned Court. Due to the extreme mental agony being suffered by the petitioner due to his false implication in the FIR, he left his house. On 27.05.2022, the father of the petitioner appeared before the Court as surety, undertaking to produce the petitioner. However, being unable to trace the petitioner, numerous



adjournments were sought, and it was prayed that payment of surety amount of Rs.50,000/- by the father of the petitioner be allowed to be made in installments. Subsequently, the said amount was deposited with the District Legal Services Authority. Yet, proclamation proceedings were initiated against the petitioner, and he was declared as a Proclaimed Offender vide order dated 29.09.2022. Learned counsel further submits that it was never the intention of the petitioner to willfully evade his presence before the learned trial Court, and prays that one opportunity may be granted to the petitioner to surrender before the learned trial Court.

3. Learned State counsel opposes the prayer made in the petition and submits that specific and serious allegations of raping the prosecutrix, which led her to commit suicide, have been levelled against the petitioner. On the basis of the material collected during investigation, a report under Section 173 Cr.P.C. was prepared and presented before the learned Court of competent jurisdiction, which, upon consideration, proceeded to frame charges against the petitioner. It is further submitted that during the course of trial, the petitioner misused the concession of regular bail granted to him, and willfully absented himself from the proceedings. As a result, the learned trial Court forfeited his bail and surety bonds vide order dated 26.02.2020. Thereafter, proceedings under Sections 82 and 83 Cr.P.C. were initiated, culminating in the petitioner being declared a Proclaimed Offender by the learned trial Court vide order dated 29.09.2022. He submits that given the gravity of the offences purported to have been committed by the petitioner and in view of his conduct, he does not deserve any relief from this Court.

4. Heard.



5. Pertinently, *prima facie* grave and serious allegations have been levelled against the petitioner. After due consideration, the petitioner was granted the concession of regular bail, however the petitioner, failed to put in appearance before the learned trial Court without any permission or reasonable justification, leading to the initiation of PO proceedings and the subsequent declaration of him being a proclaimed offender vide order dated 29.09.2022. Given the facts and circumstances of this case, and in view of the fact that presence of the petitioner is necessary for the fair adjudication of the trial, this Court grants one opportunity to the petitioner to surrender before the learned trial Court within a period of two weeks, *albeit*, subject to payment of **Rs.25,000/- to be deposited in Poor Patients' Welfare Fund, PGIMER, Chandigarh.** Meanwhile, no coercive steps shall be taken against the petitioner. Needless to say that in case the petitioner does not surrender and comply with the condition stipulated hereinabove, this order shall be of no avail to him.

6. The petition is disposed of in aforesaid terms.

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

(KIRTI SINGH)
JUDGE

06.08.2025

Kavita

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No