



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-50938-2025
Date of Decision: 12.09.2025

KARAMJIT SINGH

....PETITIONER

Versus.

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MS. JUSTICE AARADHNA SAWHNEY

Present: - Mr.Hanspuneet Singh Kehal, Advocate, for the petitioner.

AARADHNA SAWHNEY, J. (ORAL)

By virtue of the present petition, petitioner, an accused, in case FIR No.232 dated 03.09.2019 registered against him for commission of offences punishable under Section 52 of the Prisons Act, 1984 (Sections 307, 120B, 148, 149 and 506 IPC added subsequently) at Police Station Islamabad, District Amritsar, has filed the present petition assailing the legality of the order dated 06.06.2025 (Annexure P6), passed by learned Additional District and Sessions Judge, Amritsar, vide which he (petitioner) was declared Proclaimed Offender.

2. Learned counsel for the petitioner submits that consequent to lodging of the aforesaid FIR, petitioner was granted concession of bail by this Court in terms of order dated 28.05.2020 (Annexure P2) passed in CRM-M-10785-2020. On completion of investigation, challan was filed by the police, the case was committed to the Court of Sessions. On 20.11.2024, on account of some misunderstanding with regard to the date of the case, he (petitioner) could not appear before the Sessions Court. Consequently, on the same day i.e. on 20.11.2024, non-bailable warrants were issued against him and

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on his non-appearance on the next date of hearing i.e. 12.12.2024, learned Additional Sessions Judge, cancelled his (petitioner) bail, personal and surety bonds were forfeited. Resultantly, petitioner approached this Court by way of CRM-M-16140-2025, praying for setting aside the said order of learned Additional Sessions Judge, dated 12.12.2024. Prayer of the petitioner was accepted by this Court vide order 01.04.2025 (Annexure P3) and he was allowed to join the proceedings before the learned Additional Sessions Judge, Amritsar. The order dated 01.04.2025 (Annexure P3) reads as under:-

Contends, inter alia, that non-appearance of petitioner before learned Additional Sessions Judge, Amritsar, on the relevant date i.e. 12.12.2024 was not intentional; rather it happened on account of some communication gap with his counsel who noted wrong date of hearing.

Notice of motion for 21.07.2025.

In the meanwhile, petitioner shall join the proceedings before learned Additional Sessions Judge, Amritsar, within two weeks and on doing so, he shall be released on interim bail in the present case till the next date of hearing on furnishing adequate bail and surety bonds subject to his satisfaction.

Taking his submissions further, learned counsel contends that pursuant to the aforesaid order passed by this Court, petitioner appeared before the Duty Judge on 11.04.2025, when the following order was passed: -

Today present application for acceptance of the bail bond and surety bond has been filed before me being Duty Judge as ld. Presiding Officer is on leave. Said application has been filed in view of the order dated 01.04.2025 of the Hon'ble High Court, whereby the applicant Karamjit Singh was granted interim bail till 21.07.2025 in CRM-M-16140-2025 subject to his furnishing adequate bail and surety bond within two weeks from the date of order. The said order has been confirmed by the Translator concerned of the Court. Thus, in the light of the order dated 01.04.2025 of the Hon'ble High Court, applicant is directed to furnish bail bond in the sum of ₹1,00,000/- with one surety in the like amount with respect of his interim bail till 21.07.2025. Bail bond and surety bond are furnished, which are accepted and attested. Necessary release order be issued forthwith.



Continuing further, learned counsel for the petitioner contends that on the subsequent date of hearing i.e. on 30.04.2025, despite the fact that petitioner was present in the Court and had appended his signatures on the order-sheet, as is apparent from the copy thereof (appended as Annexure P5), under some misunderstanding, proclamation proceedings were issued against him (petitioner) to procure his presence. Subsequently, on 06.06.2025, petitioner was declared Proclaimed Offender. As noted above, it is this order dated 06.06.2025 (Annexure P6) that is under challenge before this Court.

3. Heard. Documents on record perused.

4. Admittedly, in terms of the order dated 01.04.2025, passed by this Court in CRM-M-16140-2025, petitioner was allowed to join the proceedings before learned Additional Sessions Judge, Amritsar, within two weeks and was allowed to be released on bail on his furnishing adequate bail bonds/surety bonds. Consequent, thereof, he (petitioner) appeared before the Duty Judge. Bail bonds/surety bonds were furnished before the Duty Judge and he (petitioner) was released on bail on 11.04.2025. Perusal of copy of the order dated 30.04.2025 (Annexure P5) further reveals that petitioner was present in Court and had appended his signatures on the order-sheet, but it appears that due to some misunderstanding, his presence was not marked rather proclamation proceedings were directed to be initiated against him.

5. In view of the facts mentioned hereinabove, impugned order dated 06.06.2025 (Annexure P6) vide which petitioner was declared Proclaimed Offender is set aside. Petitioner is directed to appear before the Court concerned within a period of 2 weeks. On his appearance, he shall furnish fresh bail bonds/surety bonds to the satisfaction of the learned Judge. Besides, petitioner would also submit specific undertaking/affidavit that he will keep appearing

during the proceedings of the trial in future and the proceedings would not be delayed because of his conduct.

12.09.2025

Vivek

(AARADHNA SAWHNEY)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No