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

**CRM-M-56970-2025 (O&M)
Date of decision : 28.10.2025**

Harman Singh**.....Petitioner****versus****State of Punjab and others****.....Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Ms. Priya Sahoo, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)**CRM-42708-2025**

Present application has been filed for placing on record the arrival tickets of the petitioner as Annexure P-6.

For the reasons mentioned in the application, same is allowed. Annexure P-6 is taken on record.

Main case

1. Prayer in the present petition is for setting aside the impugned orders dated 13.08.2018 and 06.09.2018 passed by learned JMIC, Kharar, whereby the petitioner had been declared as proclaimed offender in SC No.CHI/378/2018 titled as '**State vs. Laskhar Chand**' under sections 451, 323, 326, 148, 149, 307 IPC.

2. It has been contended by learned counsel for the petitioner is residing in Paris since the year 2011 and he is working as a driver. She has submitted that since then the petitioner visited India only once on account of marriage of his sister in the year 2018. She has submitted that as the petitioner is residing abroad, service of warrants/notice was not effected



upon him and he was declared proclaimed person vide order dated 06.09.2018 by learned trial Court, is in violation of provisions of Section 82 Cr.P.C. She submits that the petitioner was in abroad, when he was declared proclaimed person and he was unaware about the pendency of the present case. Learned counsel further states that the petitioner is ready to appear before the trial Court and join the proceedings and face the trial and for the said purpose, he is coming to India on 05.11.2025. To show his bona fide, she has placed on record the travel/air tickets, on record. She further submits that the petitioner is ready to abide by the terms and conditions if any imposed by this Court.

3. Notice of motion.

4. On asking of the Court, Mr. J.S. Arora, D.A.G., Punjab. accepts notice on behalf of the respondent-State. Ms. Priyanka Sharma, Advocate has put in appearance and filed memorandum of appearance on behalf of respondents No.2 to 4.

5. Learned State counsel has opposed the submissions made by learned counsel for the petitioner and has stated that the trial Court has rightly declared the petitioner as proclaimed person who remained absent despite order.

6. After hearing learned counsel for the parties and perusing the record, it is apparent that petitioner was in abroad and in his absence, he was declared as Proclaimed Person. In view of the fact that the petitioner is now keen to join the proceedings and face the trial in the present case as is clear from the fact that he is returning to India on 05.11.2025 for the said purpose. So, without going into the merits of the contentions raised by learned counsel for the petitioner regarding his unawareness about the pendency of the proceedings, this Court is of the opinion that it would be appropriate if one



opportunity is granted to the petitioner to surrender before the trial Court and face the trial. Consequently, the present petition is disposed of and the orders dated 13.08.2018 and 06.09.2018 are *set aside* subject to payment of Rs.25,000/- as costs to be paid to Day Care Centre for Elderly Disabled in Home for Old & Destitute People, Sector-15, Chandigarh within a period of 10 days from the date of his arrival. The petitioner is directed to appear before the trial Court and file appropriate application along with the receipt of costs before the trial Court within a period of 10 days from that day and thereafter, the trial Court will admit him to bail subject to its satisfaction during the pendency of trial and proceed with the trial as per law. Petitioner will have protection from arrest for a period of 10 days from the date of his arrival in India.

7. Needless to say that in case the petitioner fails to comply with the abovesaid direction, he will have no benefit of abovesaid protection granted by this Court and orders under challenge dated 13.08.2018 and 06.09.2018 would come in force and the present petition shall be deemed to have been dismissed.

28.10.2025
ps-I

(RAJESH BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No