

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

2025:PHHC:017989



CRM-M-61368-2024

Date of Decision:06.02.2025

PARTAP SINGH

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Lokesh Vohra, Advocate for the petitioner.

SANDEEP MOUDGIL, J. (Oral)

1. Petitioner Partap Singh has filed petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of order dated 14.01.2016 (Annexure P-1) in case bearing CHI/243/2015, registered on 10.11.2014 vide which petitioner has been declared as proclaimed offender in FIR No.179 dated 25.12.2012 under Sections 447, 427, 34 of IPC, registered at Police Station Makhu, Ferozepur.

2. Learned counsel for the petitioner submits the petitioner never intentionally evaded the court proceedings and due to family circumstances he left the County. He further submits that now the matter has been compromised between the parties and co-accused Nirvair Singh has been acquitted of all the charges vide order dated 24.11.2022. He further submits that complainant also tendered an affidavit, Annexure P-4, for not proceeding against the petitioner. He further undertakes that the petitioner will surrender before the trial Court and shall join the trial proceedings without any delay.

3. Notice of motion.

4. On the asking of the Court, Mr. Jaspal Singh Guru, AAG Punjab, accepts notice on behalf of the State and status report dated 05.02.2025, by way of affidavit of Deputy Superintendent of Police, Sub Division Zira, District Ferozepur, on behalf of respondent/State has been filed in Court, which is taken on record, copy of which has been supplied to the counsel opposite. Learned State counsel is not averse to the undertaking given by the petitioner that he will surrender before the trial Court.



4. Considering the submissions made by learned counsel and also in appreciation of the fact that it will only speed up the proceedings before the Trial Court which is one of the essence as enshrined under Article 21 of the Constitution of India, the petitioner is directed to surrender before the trial Court within a period of eight weeks from today and apply for regular bail.

5. In case, an application for bail is moved by the petitioner before the learned trial Court, the same shall be considered preferably on the same date and decided in accordance with law.

6. However, it is made clear that in case the petitioner does not abide by the aforesaid undertaking, the respondent/State shall be at liberty to move an appropriate application for revival of the instant petition.

7. The aforesaid order/concession to the petitioner shall be subject to payment of costs of 5000 Euros (Spain) to be deposited with the Punjab and Haryana High Court Bar Association, Chandigarh (Account No.65035682434, IFSC Code: SBIN0050306) and a receipt of the same be produced before the Trial Court and only in that eventuality, application of the petitioner for seeking bail be considered and decided on the same day in accordance with law.

8. The instant petition is disposed of in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

06.02.2025

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