



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-64940-2024
Decided on : 09.09.2025

Parul Grover

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Ms. Anju Arora, Advocate for the petitioner(s).

Mr. Neeraj Madaan, Sr. DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. By way of present petition filed under Section 482 of the Cr.P.C., petitioner seeks quashing of FIR No. 46 dated 25.06.2017, registered under Sections 61 and 68-1-14 of the Excise Act and Section 510 of the IPC at Police Station Nayagaon, District Mohali, alongwith challan presented under Sections 61 and 68 of the Excise Act, and charge sheet dated 27.01.2020, as well as all subsequent proceedings arising therefrom.

Further, petitioner seeks quashing of the order dated 21.12.2021 (Annexure P-3) passed by the learned Judicial Magistrate First Class, Kharar, whereby petitioner was declared a proclaimed person in connection with FIR No. 46 dated 25.06.2017, registered under Sections 61 and 68-1-14 of the Excise Act and Section 510 of the IPC at Police Station Nayagaon, District Mohali, and the challan presented thereunder.

2. On 19.08.2025, following order was passed:

“1. Present petition under Section 482 Cr.P.C. has been filed for



quashing of FIR No.46 dated 25.06.2017, under Sections 61, 68-1-14 of Excise Act and 510 of IPC, 1860 (Annexure P-1) and challan presented under Sections 61 and 68 of Excise Act, registered at Police Station Nayagaon, District Mohali and charge dated 27.01.2020 (Annexure P-2) and all other subsequent proceedings arising therefrom.

2. *Counsel for the petitioner argues that though the instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.46 dated 25.06.2017 but, at present, she would be satisfied if the order dated 22.12.2021 (Annexure P-3), vide which petitioner has been declared as proclaimed person is set aside and he be allowed to appear before the learned trial Court, to enable the petitioner to join the proceedings before the learned trial Court.*

3. *He further argues that after the registration of the FIR, the petitioner was released on bail along with the other co-accused and had been regularly appearing before the concerned court since then. However, due to some compelling circumstances, the petitioner had to leave the country and settle abroad (Coressia) to earn his livelihood.*

4. *List on 09.09.2025."*

3. Ms. Anju Arora, Advocate representing petitioner, reiterates her submissions recorded in the order dated 19.08.2025 and submits that there were total ten accused in the case, out of whom six, namely Hitesh Khullar, Rajiv Kumar, Surinder Sharma, Karandeep Singh, Rajesh Gupta, and Jaswinder Singh, have already been acquitted vide judgment dated 27.05.2024 (Annexure P-4). She further submits that trial could not be concluded in respect of the petitioner-Parul Grover, and the remaining co-accused, while co-accused Amit Rana and Dinesh were declared proclaimed offenders during the proceedings before the trial Court.

Learned counsel for the petitioner submits that petitioner had earlier been released on bail in the main case and now expresses his



inclination to surrender before learned Trial Court and join proceedings in the aforesaid case to facilitate its early conclusion. Petitioner undertakes to fully cooperate with the trial proceedings.

Learned counsel further submits that this Court has consistently held in several cases that, once an accused expresses willingness to appear voluntarily before the trial Court, time and resources should not be wasted in securing their presence. Counsel refers to the order dated 08.09.2025 passed by this Court in CRM-M-49614-2025, titled *Sachin Kumar vs. State of Punjab*.

4. She further contends that, if one opportunity is afforded to the petitioner to appear by granting appropriate protection from arrest, petitioner undertakes that in all future proceedings related to the present case, he shall not be absent from Court except with prior permission, and will fully cooperate with the Court to ensure the early completion of the trial.

5. Notice of motion.

6. On asking of the Court, Mr. Neeraj Madaan, Sr. DAG, Punjab, who is present in Court, accepts notice on behalf of the respondent-State.

A copy of the complete paper book has been supplied to him by learned counsel for the petitioner.

7. Learned State counsel opposes the request of the petitioner, and submits that petitioner has willfully remained absent from the proceedings of learned Trial Court and thus, does not deserve any sympathy. Therefore, petitioner should be directed to surrender before the Court and to face trial.

8. I have heard learned counsel for the parties and perused the relevant material on record. It is evident that petitioner is inclined to join the process of law, and by way of present petition, he is seeking one chance to join



the proceedings before the learned Trial Court, by abiding to the terms and conditions.

9. In number of cases, wherein, accused stopped appearing in criminal cases, the Courts are compelled to declare accused as ‘Proclaimed Person/Proclaimed Offender’. After examining the facts, this Court has formulated a uniform method to ensure the presence of accused before the concerned Court, to enable it to proceed further instead of delaying the proceedings by awaiting the presence of accused.

Intentional or unintentional default of the accused can be dealt with by examining the facts from case to case involved, and where it is realized that absence or prolonged absence of such accused is intentional to evade the process of law, he/she can be penalized examining the nature of crime in which he is facing the proceedings and thereupon by imposing some cost amount subject to his/her capacity to pay.

Primary object of every Court is only to examine the commission of crime in question before it *vis a vis* the person/accused, who is subjected to such proceedings, and if possible justice be imparted at the earliest without unnecessary delay. It is not expected that undue time would be devoted in securing the presence of absconded accused and also to waste energy by enforcing the special mechanism to arrest such accused.

Considering all such aspects, this Court in the case of ***Ashish Kumar Honda @ Ashish Handa Vs. State of Punjab, 2022 (4) RCR (criminal) 765; Law Finder Doc Id # 20238111*** considered similar plea of appearance, expressed at the instance of the accused, who failed to appear before the Court at appropriate time, and observed that:

“paramount consideration of the Court is to secure presence of



accused on each and every date for speeding up the trial for its final conclusion. Already Courts are flooded with so much litigation, resulting in slow pace of work, because of more than one reason. The required energy and manpower be used for expediting the proceedings of the Court, instead of running after the accused persons to get hold of them.”

Again, this Court has considered the aforementioned similar plea in case **Veena @ Veena Devi v. State of Punjab** (CRM-M-2206-2025, **decided on 16.01.2025**).

10. In the totality of circumstances, I am of the view that the petitioner may be granted one opportunity to appear before the trial Court so that the proceedings can recommence and continue smoothly. Accordingly, the plea of the petitioner is accepted to the extent of setting aside the impugned order dated 22.12.2021 (Annexure P-3), whereby the petitioner was declared a ‘proclaimed person.’ Petitioner is directed to be released on bail upon his surrender before the trial Court on or before 21.11.2025.

11. Petitioner shall also furnish fresh bail bonds/surety bonds to the satisfaction of the trial Court. In addition, petitioner shall submit a specific undertaking/affidavit affirming that he will regularly appear during the trial proceedings in the future, and that the proceedings shall not be delayed on account of his conduct.

12. However, it is clarified that until the date fixed by this Court, i.e., 21.11.2025, for the petitioner’s appearance before the learned trial Court, the operation of the impugned order dated 22.12.2021 shall remain stayed.

13. However, this order shall be subject to the payment of Rs.25,000/- (Rupees twenty five thousand only) as costs, to be deposited by the petitioner in an Old Age Home of the area, as may be decided by the

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learned Trial Court. The Trial Court shall also specify the time frame within which such costs will be required to be deposited, but not more than two weeks, failing which this order would not be of any advantage to the petitioner.

14. With aforementioned terms, present petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

09.09. 2025*rashmi*

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No