



CRM-M-1113-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1113-2025
Decided on: 21.01.2025

Vinod Kumar @ Binnu

...Petitioner

Versus

Central Bureau of Investigation and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Reetesh Kumar, Advocate and
Mr. Vikalp Hooda, Advocate for the petitioner.

Mr. Ravi Kamal Gupta, Advocate
for respondent No.1.

Ms. Trishanjali Sharma, DAG, Haryana.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
118	27.02.2016	Urban Estate, Rohtak	120-B, 148, 149, 186, 188, 307, 353, 395, 427, 436 & 452 IPC and 25 of Arms Act and 3/4 of Prevention of Damage to Public Property Act 1984

1. Aggrieved by the order dated 07.10.2016, vide which the petitioner was declared proclaimed offender by ACJM, Rohtak, in the FIR captioned above, due to the default in appearances before the trial court, the petitioner has come up before this court under section 528 BNSS 2023.
2. The nature of order this court proposes to pass, no response is required from the respondent.
3. Ld. Counsel for the petitioner contends that petitioner was not aware about pendency of the proceedings before the trial Court and he came to know about it when the police came to his house to arrest him. He further submits that non-appearance was unintentional, without any endeavor to delay the trial, and due to factors beyond the petitioner’s control.
4. The primary object of service is to secure the accused's presence in trial. The petitioner has approached this court on its own, establishing the bonafide at this stage.



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Without commenting on the case's merits, and in the facts and circumstances peculiar to this case, and also for the reasons mentioned above, the ends of justice would meet. Furthermore, without adjudicating the maintainability of this petition under section 528 BNSS 2023 and leaving that question open; given the explanation offered by the accused coupled with the facts and circumstances peculiar to this case, a balanced approach would work as an incentive, a catalyst, speeding up the process, and bringing the guilty to Justice and Justice to the guilty. Thus, exercising the inherent powers under section 528 BNSS 2023, this court deems it appropriate to grant the following limited relief to the petitioner, subject to compliance with the conditions mentioned in this order.

5. The petitioner is directed to surrender before the concerned court on or before 03.02.2025 and avail legal remedy in accordance with law.

6. The petitioner shall not be arrested till 03.02.2025, 10 PM and it is clarified that if the petitioner fails to appear before the concerned court by this date, then this order shall stand recalled automatically under section 403 read with 528 BNSS 2023, without any further reference to this court.

7. The petitioner shall deposit a sum of rupees Ten thousand in the account of **Poor Patient Welfare Fund, PGIMER, Rohtak bearing Account No.151000000504, IFSC: INDB0000130** and hand over its receipt to the trial court.

8. Any observation made hereinabove is neither an expression of opinion on the merits of the case nor shall the trial Court advert to these comments.

9. *There would be no need for a certified copy of this order, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. In case the attesting officer wants to verify the authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.*

Petition allowed to the extent and subject to the conditions mentioned above. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

21.01.2025

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Whether speaking/reasoned: Yes

Whether reportable: No.