



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

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**CRM-M-65185-2024
Decided on : 07.01.2025**

Parmal Singh

... Petitioner

Versus

State of Punjab and anr

... Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Rahul Jaswal, Advocate for the petitioners.

SANJAY VASHISTH, J. (Oral)

1. Present petition filed under Section 528 of BNSS, 2023 seeking quashing of order dated 20.03.2024 (Annexure P-5), passed by learned Judicial Magistrate First Class, Rajpura, whereby the petitioner had been declared as Proclaimed person in case FIR No. 311 dated 23.11.2019, under Section 419, 420, 465, 468, 471 IPC, registered at Police Station City Rajpura, District Patiala.

2. Learned counsel for the petitioner submits that the dispute has been resolved between the parties and resultantly quashing petition on the basis of compromise has already been filed before this Court, however, he submits that until the order impugned herein is set aside or the arrest of the petitioner is protected, the very purpose of settling of dispute between the parties would get defeated.

3. Notice of motion.

4. On advance notice Mr. Amandeep Singh Samra, AAG, Punjab, appears on behalf of the respondent-State and expresses his ignorance about the factum of compromise as stated by the petitioner, however, submits that the proceedings in trial court cannot take place until petitioner puts in



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appearance before the Court.

5. Considering the submissions addressed and the averments made in the present petition, this Court deems it appropriate to grant one opportunity to the petitioner to appear before the Court so that the proceedings before the Court may start or in case petitioner has already entered into compromise, he may be able to give required statement before the trial court in connection with the said compromise.

6. Accordingly, the present petition is allowed and the impugned order dated 20.03.2024 (Annexure P-5) is hereby set aside to the extent of declaring the petitioner as proclaimed person.

7. Therefore, petitioner is directed to appear before the trial Court on or before 15.03.2025 and on his appearance he would be released on bail subject to his furnishing fresh bail bonds/surety bonds to the satisfaction of the trial Court. Besides, petitioner would 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.

8. In view of above, the present petition is allowed.

9. Needless to mention here that on compliance of all the conditions mentioned hereinabove, impugned order dated 20.03.2024 (Annexure P-5) and the subsequent orders would become inoperative *qua* the petitioner.

(SANJAY VASHISTH)
JUDGE

January 07, 2025

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Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No