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

**CRM-M No.69288 of 2025
Date of decision : 10.12.2025**

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

Present :- Mr. Lalit Pathak, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

1. Prayer in the present petition is for quashing of order dated 06.08.2016 (Annexure P-6) vide which the petitioner was declared as proclaimed offender in case bearing FIR No.252, dated 20.08.2015, under Sections 406, 420 IPC, 1860, registered at Police Station City Khanna, Police District Khanna, District Ludhiana, Punjab. Further prayer has been made for staying the further proceedings arising out of FIR during the pendency of the present petition.

2. It has been contended by learned counsel for the petitioner that the petitioner has been falsely prosecuted in case bearing FIR No.252, dated 20.08.2015, under Sections 406, 420 IPC, 1860, registered at Police Station City Khanna, Police District Khanna, District Ludhiana, Punjab. He has submitted that neither the petitioner was aware about the proceedings of the FIR nor regarding the order declaring him proclaimed

offender vide order dated 06.08.2016. He has submitted that the petitioner



applied for certified copy of the order dated 06.08.2016, declaring him as proclaimed offender, but he could not get the same because the said order was not on the judicial file. He has submitted that thereafter, the parties have amicably resolved their *inter se* dispute and on account of the same, the petitioner filed a petition bearing CRM-M-47328-2025 before this Court for quashing of the present FIR on the basis of compromise, which is pending adjudication for 12.12.2025. This Court vide order dated 28.08.2025 sought a report from the learned trial Court concerned regarding the order declaring the petitioner as proclaimed offender and thus, vide order dated 30.09.2025, the report from the trial Court has been received and the order dated 06.08.2016 has also been attached with the same. He has submitted that the order declaring the petitioner as proclaimed offender is in violation of the provisions of Section 82 of Cr.P.C. He has submitted that the petitioner was never issued the summons nor any notice was ever served to him. He has submitted that the petitioner is keen to join the proceedings. He has thus submitted that the petitioner be granted protection for appearing before the learned trial Court.

3. Notice of motion.

4. On asking of the Court, Ms. Ramta Chowdhary, DAG, Punjab, appears and accepts notice on behalf of the respondent-State. She has opposed the submissions made by learned counsel for the petitioner and has submitted that the petitioner has rightly been declared as proclaimed offender, who remained absent from the Court without any valid reason.

5. Heard.



6. After hearing counsel for the parties and perusing the record, it is apparent that the petitioner was prosecuted in FIR No.252, dated 20.08.2015, under Sections 406, 420 IPC, 1860, registered at Police Station City Khanna, Police District Khanna, District Ludhiana, Punjab. Due to non appearance of the petitioner, he was declared as proclaimed offender vide order dated 06.08.2016. However, the petitioner remained absent as he was never served with any notice of proclamation under Section 82 of Cr.P.C. and thereafter he was declared as proclaimed offender. As submitted before this Court by learned counsel for the petitioner that the matter between the parties has been compromised and on account of the same, a petition bearing CRM-M-47328-2025 has already been filed by the petitioner praying for quashing of FIR on the basis of compromise, which is pending adjudication for 12.12.2025. Without commenting anything about the authenticity of the ground of absence taken by the petitioner, this Court proceed to decide the matter as now the petitioner is ready and keen to join the proceedings. So keeping in view the abovesaid facts, the present petition is disposed of and the impugned order dated 06.08.2016 is hereby *set aside* subject to payment of costs of Rs.25,000/- to be paid to the **Society for the Care of Blind, Sector 26, Chandigarh** within a period of 07 days from the date of receipt of certified copy of this order. The petitioner is directed to appear before the trial Court within a period of 10 days from the date of receipt of certified copy of this order and files appropriate application along with receipt of deposit of above-said costs, then 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 receipt of certified copy of this order.

7. Needless to say that in case the petitioner fails to comply with the abovesaid direction within the stipulated period, he has no benefit of this order and the impugned order dated 06.08.2016 would stand automatically revived and the present petition shall be deemed to have been dismissed.
8. Disposed of in above terms.

10.12.2025			(RAJESH BHARDWAJ)
<i>rittu</i>	Whether speaking/reasoned	:	JUDGE Yes/No
	Whether reportable	:	Yes/No