



CRM-M-69586-2025

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

CRM-M-69586-2025

Date of Decision: 12.12.2025

Inderjit Singh Malhotra

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Talwinder Singh, Advocate, for the petitioner.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for quashing of the impugned order dated 23.07.2018 (Annexure P-2) passed by learned JMIC, Moga in a case FIR No.02, dated 02.03.2016, registered under Sections 419, 420, 465, 467, 468, 471, 201, 120-B IPC, at Police Station NRI Moga, whereby, the petitioner has been declared proclaimed offender.

2. It has been contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. He has submitted that the petitioner is residing in Canada. He submits that the petitioner was in Canada at the time of lodging of the FIR and he was not aware about the pendency of the complaint/FIR against him. However, learned trial Court has illegally declared him proclaimed offender vide order dated 23.07.2018 in violation of Section 82 Cr.P.C. He further submits that the absence of the petitioner was totally unintentional and beyond his control. He submits that now petitioner is returning to India by 30.01.2026 and ready to join the proceedings and face the trial in the above said case and comply with the condition, if any imposed by the Court and as such the



order dated 23.07.2018 declaring the petitioner as proclaimed offender, deserves to be set aside.

3. Notice of motion.

4. Ms. Ramta Chowdhary, DAG, Punjab, accepts notice on behalf of the State and has submitted that the petitioner has rightly been declared proclaimed offender as he intentionally did not appear before the trial Court.

5. After hearing learned counsel for the parties and perusing the record, it is evident that due to non-appearance of the petitioner, he was declared as proclaimed person on 23.07.2018. As stated before this court, now the petitioner is returning to India by 30.01.2026 and ready to join the proceedings before the trial Court. The Court without going into the authenticity of the ground taken for the absence of the petitioner, deems it appropriate to set aside the order dated 23.07.2018 declaring the petitioner as proclaimed offender. Hence, the order dated 23.07.2018 is set aside subject to payment of Rs.50,000/- as costs to be paid the petitioner to the **Poor Patients' Welfare Fund, PGIMER, Chandigarh** within period of seven days from today.

6. The petitioner is directed to appear before the trial Court within a period of ten days from the date of his arrival in India and file an appropriate application alongwith receipt of costs of Rs.50,000/- and the trial Court would grant him bail till the disposal of the case on his furnishing bail/surety bonds subject to its satisfaction. The petitioner will have protection from arrest for a period of ten days from the date of his arrival in India. The trial Court is free to impose any condition it likes on the petitioner while admitting him to bail.

7. Needless to say that in case the petitioner fails to comply with the abovesaid direction, this order would be of no avail to him and the order dated 23.07.2018 will come in force and the present petition shall be deemed to have been dismissed.
8. Petition stands disposed of in abovesaid terms.

12.12.2025			(RAJESH BHARDWAJ)
sharmila			JUDGE
	Whether Speaking/Reasoned	:	Yes/No
	Whether Reportable	:	Yes/No