

2026:PHHC:039988



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

**CRM-M-13294-2026**  
**Date of Decision:12.03.2026**

Kanwar Randeep Singh Kharaud alias SK ...Petitioner

## Versus

State of Punjab and another ...Respondents

**CORAM: HON'BLE MS. JUSTICE AARADHNA SAWHNEY**

**Present:** Mr. Deepinder Singh Virk, Advocate  
for the petitioner.

Mr. Gautam Thapar, Sr. DAG, Punjab.

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**AARADHNA SAWHNEY, J. (ORAL)**

1. Challenge in the present petition is to the order dated 10.11.2022 (Annexure P-10) passed by the Ld. Additional Sessions Judge, Ludhiana vide which petitioner was declared 'Proclaimed Offender' in case bearing FIR No.113 dated 26.06.2016 registered against him and others for the commission of offence punishable u/s 307/342/427/148/149/120B IPC at PS Sadar Ludhiana.

2. Learned counsel for the petitioner contends that the petitioner was falsely implicated in the aforesaid criminal case. He was not named in the FIR. Taking note of entire facts brought on record, this Court vide order dated 04.05.2017 passed in CRM-M-13823-2017 (Annexure P-3) extended him the concession of bail.

Learned counsel contends that petitioner had been regularly appearing before the concerned Court till 07.03.2022, as is apparent from the

order of even date, appended as Annexure P-4. On the next date of hearing i.e. on 31.03.2022, petitioner could not appear before the concerned Court. Consequently his bail was cancelled, bail bonds/surety bonds were cancelled and forfeited to the State and his(P) presence was sought to be procured through NBWs. Subsequently, thereafter non-bailable warrants were repeatedly issued which remained unexecuted. The learned trial Judge was of the opinion that petitioner is deliberately avoiding the execution of the warrants as also that his presence cannot be secured through ordinary manner hence initiated proclamation proceedings vide order dated 12.07.2022.

While referring to Annexure P-11, learned counsel contends that during pendency of the aforesaid case, petitioner came to be arrested in another criminal case bearing FIR No.240 dated 04.08.2022, u/s 201/120B IPC and Sections 17/18/20 U.A.P.A. and Section 25 of Arms Act, 1959, PS Special Cell, New Delhi and has been in the custody of Delhi Police since then. Resultantly, on 15.09.2022, fresh proclamation proceedings were issued for 20.10.2022, which was received back served duly effected.

Learned counsel contends that in the light of the aforesaid facts, it cannot be said that despite proclamation proceedings having been received back served petitioner purposely chose not to appear in the Court.

The second leg raised by learned counsel for the petitioner is that even otherwise the matter has been amicably settled between the parties and the remaining 04 accused namely Kulvir Singh, Paramjit Singh, Manvir Singh @ Mani and Fateh Singh have also filed a petition for quashing of the FIR in question by way of filing CRM-M-51466-2025. In the light of the aforesaid facts it has been brought that proclamation proceedings be set aside.

3. Heard. Documents on record perused.

4. Copies of the interim orders passed by the Ld. Trial Judge in the

present case, as also copy of FIR No.240 dated 04.08.2022, u/s 201/120B IPC, Sections 17/18/20 U.A.P.A. and Section 25 of Arms Act, 1959, PS Special Cell, New Delhi indicate that when the proclamation proceedings were being undertaken against the accused in the present case, he was in custody in the aforesaid case in which he was arrested on 12.09.2022. Thus, it cannot be said that he was intentionally not appearing before the Court in the present case. It has also been submitted by learned counsel that even as of now petitioner is lodged in a jail in Delhi. Taking note of the aforesaid facts as also giving due weightage to the fact that a petition based on the compromise has also been filed by the other accused, which is pending adjudication for 12.05.2026.

5. Resultantly, the present petition stands allowed. Impugned order dated 10.11.2022 (Annexure P-10) is set aside. Petitioner is directed to surrender before the concerned Court within a period of 15 days. The concerned Court is also directed to issue production warrants in this regard.

Before parting with this order, it is made abundantly clear that in case the petitioner does not adhere to the aforesaid, the present petition shall be deemed to have been dismissed without any reference to this Court.

**12.03.2026**  
*Parveen kumar*

**(AARADHNA SAWHNEY)**  
**JUDGE**

Whether speaking/reasoned :Yes/No  
Whether reportable :Yes/No