



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

**CRM-M-14482-2026
Date of decision: 28.04.2026**

HARMINDER SINGH @ MINDI

...PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Vivek K. Thakur, Advocate
for the petitioner.

SUBHAS MEHLA, J. (ORAL)

1. Present petition has been filed by the petitioner under Section 528 of BNSS for quashing of the impugned order dated 22.07.2024 (Annexure P-11) passed by learned Judicial Magistrate Ist Class, Kapurthala in FIR bearing No.114 dated 15.10.2022 registered under Sections 458, 506, 323, 427, 148 and 149 of IPC at Police Station Kapurthala (Annexure P-1), vide which, petitioner has been declared as proclaimed person.

2. Learned counsel for the petitioner contended that the petitioner was declared proclaimed person in the present case without following the due process of law as it was well within the knowledge of the trial Court that the petitioner is not residing in India and settled abroad; no efforts were made to serve the petitioner through due process i.e. through embassy; now, when the petitioner came to know about the proclamation proceedings against him, he approached this Court by way of filing the present petition and co-accused of the petitioner, who faced the trial, have already been acquitted vide judgment



dated 29.03.2025 (Annexure P-12). Learned counsel submitted that the petitioner is ready to surrender himself before the learned trial Court and prays that the petitioner be not arrested by the police.

3. Notice of motion.

4. Mr. Anup Singh, AAG, Punjab, present in the Court, accepted notice on behalf of respondent-State and submitted that he has no objection, if the petitioner is ready to join the proceedings before the trial Court.

5. Heard.

6. Taking into consideration the facts and circumstances of the case and contentions of learned counsel for the petitioner that co-accused has been acquitted and petitioner was not *mala fide* on his part for his absence before the learned trial Court and the fact that he is ready to join the proceedings before the learned trial Court, he is directed to surrender himself before the learned trial Court within one month i.e. up to 28.05.2026 by moving an appropriate application by raising all the pleas taken in this petition, before the trial Court regarding his non-appearance. The trial Court is directed to decide his bail application in accordance with law. Till then, petitioner will not be arrested by the police in this matter.

7. Additionally, a cost of Rs.25,000/- is hereby imposed upon the petitioner, which to be deposited with Indian Red Cross Society having Account No.3578152035, Central Bank of India, Sector 17-B, Chandigarh, IFSC CBIN0280412 and receipt regarding the deposition of cost shall also be produced at the time of moving bail application.



8. It is made clear that if the petitioner fails to appear before the trial Court within stipulated time and produce the receipt regarding deposit of cost, the relief granted by this Court shall be deemed to be withdrawn.
9. Petition is accordingly disposed of.

April 28, 2026
manisha

(SUBHAS MEHLA)
JUDGE

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No