



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

**CRM-10680-2026 in/and
CRM-M-16776-2024
Date of decision: 11.03.2026**

BALVINDER SINGH ALIAS BALWINDER SINGH

...PETITIONER

V/S

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Akun Sheemar, Advocate
for the petitioner.

Mr. Surinderjit Singh Nahar, AAG, Punjab.

SUBHAS MEHLA, J. (ORAL)

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Heard.

For the reasons mentioned in the application, the same is allowed.

Main case is preponed from 23.03.2026 and is ordered to be taken
on board today itself.

MAIN CASE

1. Present petition has been filed by the petitioner under Section 482 & 483 Cr.P.C. for setting aside the impugned order dated 22.08.2022 (Annexure P-13) passed in FIR bearing No.64 dated 06.04.2020 registered under Sections 188 of Indian Penal Code, 1860 and 51 of Disaster Management Act, 2005 at Police Station Kartarpur, District Jalandhar Rural, vide which, petitioner has been declared as proclaimed offender.

2. Learned counsel for the petitioner contended that the trial Court has passed the impugned order in mechanical manner as petitioner was



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declared proclaimed offender behind his back when he was not even in India. Moreover, challan in the present case was presented on 24.04.2020 in absence of the petitioner. Thereafter, due to the outbreak of Covid-19 pandemic, the case was adjourned till 07.10.2020 and the notices as well as bailable/non-bailable warrants issued to the petitioner received back with the report that he was residing abroad. Thereafter, vide the impugned order, the petitioner was declared as proclaimed offender, which deserves to be set aside. In support of his contention, learned counsel places reliance upon the judgment passed by Division Bench of this Court passed in ***Court on its Own Motion vs. State of Punjab and others, CWP-PIL-29-2021 (O & M)*** and requested that impugned order, vide which, the petitioner was declared as proclaimed offender be set aside, in the interest of justice.

3. Notice of motion.

4. Mr. Karan Veer Singh, Senior DAG, Haryana, who is present in the Court, accepts notice on behalf of respondent-State and submitted that the petitioner intentionally did not appear before the trial Court.

5. Heard.

6. Keeping in view the fact that the present FIR was registered during the period of Covid-19 pandemic and when final report was filed, the petitioner was residing abroad. Keeping in view the ratio of law held in the judgment passed by Division Bench of this Court in ***Court on its Own Motion vs. State of Punjab and others, CWP-PIL-29-2021 (O & M)***, present petition is allowed and the order dated 22.08.2022 (Annexure P-13) is set aside as well as FIR bearing No.64 dated 06.04.2020 registered under Sections 188 of

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Indian Penal Code, 1860 and 51 of Disaster Management Act, 2005 at Police
Station Kartarpur, District Jalandhar Rural and all the subsequent proceedings
are hereby quashed qua the petitioner.

March 11, 2026
manisha

(i) Whether speaking/reasoned

(ii) Whether reportable

(SUBHAS MEHLA)

JUDGE

Yes/No

Yes/No