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

CRM-M-20510-2026

Date of decision : 15.05.2026

Tajinder Singh @ Tejinder Singh

.....Petitioner

versus

State of Punjab and another

.... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Harsh Chopra, Advocate and
Ms. Simran Kaur Bhatti, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

1. Prayer in the present second petition is for quashing of order dated 07.01.2020 passed by learned Chief Judicial Magistrate, Moga vide which the petitioner has been declared as proclaimed person in FIR No.59 dated 31.03.2018, under Sections 420, 406, 120-B of the Indian Penal Code, 1860, registered at Police Station City Moga, District Moga. Further prayer has been made for seeking quashing of the FIR on the basis of undertaking given by the complainant confirming the compromise between the parties.

2. It has been contended by counsel for the petitioner that the petitioner was not present at the time of registration of the FIR as the same has been registered on 31.03.2018, whereas, the petitioner has left India on 29.10.2016. He submits that as the petitioner remained absent, learned trial Court had issued proclamation under Section 82 Cr.P.C and ultimately, he was declared a proclaimed person vide order dated



07.01.2020. He submits that the petitioner was in abroad, when he was declared proclaimed person. He has further stated that now the petitioner is ready to appear before the trial Court and join the proceedings and for the said purpose, he is coming to India by 15.06.2026. He has further submitted that the petitioner is ready to abide by the terms and conditions if any imposed by this Court. He, thus, has submitted that the order dated 07.10.2020 passed by learned Chief Judicial Magistrate, Moga, declaring the petitioner as proclaimed person, is liable to be *set aside*.

3. Notice of motion.

4. Mr. Ekompal Sagoo, AAG, Punjab Advocate has accepted notice on behalf of the respondent-State. He has opposed the submissions made by learned counsel for the petitioner and has stated that learned trial Court has rightly declared the petitioner as proclaimed person who remained absent despite order.

5. After hearing learned counsel for the parties and perusing the record, it is apparent that petitioner was in abroad and in his absence, he was declared as Proclaimed Person. In view of the fact that the petitioner is now keen to join the proceedings and face the trial in the present case as is clear from the fact that he is returning to India by 15.06.2026 for the said purpose. So, without going into the merits of the contentions raised by learned counsel for the petitioner, this Court is of the opinion that it would be appropriate if one opportunity is granted to the petitioner to surrender before the trial Court and face the trial. Consequently, the present petition is disposed of and the order dated 07.01.2020 is *set aside* subject to payment of Rs.50,000/- as costs to be paid to **‘to be paid to Day Care Centre for Elderly Disabled**

Home for Old & Destitute People, Sector 15, Chandigarh)’ within a



period of 10 days from the date of his arrival. The petitioner is directed to appear before the trial Court and file appropriate application along with the receipt of costs before the trial Court within a period of 10 days from that day and thereafter, 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 his arrival in India.

6. Needless to say that in case the petitioner fails to comply with the abovesaid direction, he will have no benefit of abovesaid protection granted by this Court and order under challenge would come in force and the present petition would be deemed to have been dismissed.
7. Disposed of in above terms.

15.05.2026
m. sharma

(**RAJESH BHARDWAJ**)
JUDGE

Whether speaking/reasoned :

Whether reportable :

Yes/No

Yes/No