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

CRM-M-19820-2026

Date of decision : 10.04.2026

Jasbir Singh**.....Petitioner**

versus

Kaka Singh**..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ*********

Present :- Mr. Karan Bhardwaj, Advocate
Mr. Pardeep Kumar and
Mr. Ishaan, Advocate
for the petitioner.

*********RAJESH BHARDWAJ, J. (Oral)**

1. Prayer in the present petition is for quashing of order dated 22.05.2017 passed by learned Judicial Magistrate Ist Class, Rupnagar in NACT No.14/2016 instituted on 11.01.2016, vide which the petitioner has been declared as Proclaimed Offender, firstly, on account of the fact that the matter has been compromised as apparent from affidavit dated 25.03.2026 and further because the notices and warrants were issued at a wrong address and the proclamation was effected on 15.03.2017 for appearance on 18.03.2017 and there is apparent violation of Section 82 Cr.P.C., and this renders the proclamation and subsequent proceedings null and void.

2. It has been contended by counsel for the petitioner that the learned trial Court, vide order dated 01.03.2016, had observed that the summons issued to the petitioner has been received back unserved and



thereafter, issued non-bailable warrants against him. He has submitted that vide order dated 18.03.2017, learned Court below had observed that the proclamation issued to the petitioner has been received back served, however, it was not mentioned that at which address, the said proclamation was effected. He has submitted that ultimately, vide order dated 22.05.2017, the petitioner was illegally declared as proclaimed person. He has submitted that even otherwise, the issue has been amicably resolved between the parties. He, thus, has submitted that the order dated 22.05.2017 passed by learned Judicial Magistrate Ist Class, Rupnagar, declaring the petitioner as proclaimed person, is liable to be *set aside*.

3. Notice of motion.

4. Mr. Jasbir Singh Mohri, Advocate has accepted notice on behalf of the respondent and has affirmed the submissions made by counsel for the petitioner that the matter has already been compromised. He has further submitted that he has no objection if the present petition is allowed and the order declaring the petitioner as proclaimed person is set aside.

5. After hearing learned counsel for the parties and perusing the record, it is apparent that during the trial of a complaint case initiated by respondent, the petitioner remained absent and was ultimately, declared as proclaimed person vide order dated 22.05.2017. As contended that the matter has been settled between the parties, no useful purpose will be served by keeping the order dated 22.05.2017 alive and sending the petitioner to face the consequences of the said order especially when the complainant has no grudge against the petitioner and has no objection if the present petition is allowed. Keeping in view the above facts, this Court



deems it appropriate to quash the order dated 22.05.2017 passed by the learned Judicial Magistrate Ist Class, Rupnagar subject to payment of Rs.25,000/- as costs to be paid to Society for the Care of Blind, Sector-26, Chandigarh within a period of 07 days from the date of receipt of certified copy of this order. In case the petitioner appears before the trial Court and files appropriate application along with receipt of costs before the trial Court within a period of 10 days from the date of receipt of certified copy of this order, 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 receipt of certified copy of this order.

6. Needless to say that in case the petitioner fails to comply with the abovesaid direction, he will have no benefit of this order and the order under challenge would stand automatically revived and the present petition shall be deemed to have been dismissed.

7. Disposed of in above terms.

10.04.2026
m. sharma

(RAJESH BHARDWAJ)
JUDGE

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