



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

CRM-M-20487-2026 (O&M)

Date of decision : 30.04.2026

Vaibhav Vohra and another

.....Petitioner

versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Pranav Handa, Advocate
for the petitioners.

RAJESH BHARDWAJ, J. (Oral)

CRM-18269-2026

Prayer in the present application is for preponing the date of hearing in the main case is from 13.05.2026 to some early date.

For the reasons mentioned in the application, the same is allowed and the main case is taken up on board today itself.

CRM-M-20487-2026

1. Prayer in the present petition is for quashing the impugned order dated 20.02.2026 passed by learned Judicial Magistrate Ist Class, Derabassi in NACT No.80 of 2020 dated 19.02.2020 titled as M/s Cool Tech Engineers Vs. M/s Pureca Laboratories, vide which the petitioners have been wrongly and illegally declared as Proclaimed Offenders.

2. It has been contended by counsel for the petitioner that after being granted bail by the trial Court, the petitioners were regularly appearing before the trial Court. However, on 16.10.2024, petitioner No.1 could not appear due to medical exigency of his spinal cord and he moved an application for exemption which was duly accepted by the learned trial Court. Thereafter, on two consecutive dates, the petitioners could not before the trial Court on account of medical exigency. He has submitted that the



grandfather of the wife of petitioner No.1 had expired, and the last rites were to be performed on 26.11.2025. Accordingly, an application for exemption from personal appearance was moved before the trial Court, however, the same was not accepted. Consequently, the petitioners, being real brothers, could not appear before the trial Court and non-bailable warrants were issued against them. He has submitted that in a connected complaint, the petitioners had earlier challenged a similar order before this Court, however, the said petition was dismissed as withdrawn on 23.02.2026 after it was informed that the petitioners had been declared proclaimed persons. He has further submitted that in the present complaint also, the petitioners have been declared proclaimed persons vide order dated 20.02.2026. He has submitted that the absence of the petitioners before the Court below was not intentional or willful. He has further submitted that now petitioners are ready and willing to join the proceedings and abide by all the terms and conditions of bail.

3. Notice of motion to official respondent only.

4. On asking of the Court, Mr. K.D. Sachdeva, DAG, Punjab accepts notice on behalf of the respondent-State.

5. Learned State counsel has opposed the submissions made by learned counsel for the petitioner and has stated that the trial Court has rightly declared the petitioners as proclaimed persons vide order dated 20.02.2026 as they failed to appear before the Court below on the date fixed.

6. After hearing counsel for the petitioners and perusing the record, it is apparent that the petitioners could not appear before the learned trial Court on 26.11.2025 on account of the last rites of the grandfather of the wife of petitioner No.1. Consequently, the learned trial Court forfeited the bail/surety bonds of the petitioners and ordered their summoning through



non-bailable warrants. Thereafter, the petitioners were declared proclaimed persons vide order dated 20.02.2026. Now the petitioners are keen to join the proceedings. So keeping in view the abovesaid facts, the present petition is disposed of and the order dated 20.02.2026 is *set aside* subject to payment of cost of Rs.25,000/- to be deposited with the Sadhna Society for the Mentally Handicapped, Near Housing Board Chowk Raen Basera Building, Manimajra, Sector-13, Chandigarh within a period of 07 days from the date of receipt of certified copy of this order. In case the petitioners appear 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 them to bail subject to its satisfaction during the pendency of trial and proceed with the trial as per law. Petitioners will have protection from arrest for a period of 10 days from the date of receipt of certified copy of this order.

7. Needless to say that in case the petitioners fail to comply with the abovesaid direction, they 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.

8. Disposed of in above terms.

30.04.2026
m. sharma

(RAJESH BHARDWAJ)
JUDGE

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