



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

**CRM-M-21435-2026 (O&M)
DECIDED ON: 22.04.2026**

BHUPEN SINGLA

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present: Mr. Narender Pal Bhardwaj, Advocate
for the petitioner.

MANDEEP PANNU, J (ORAL)

1. This is a petition under Section 482 Cr.P.C read with Section 528 BNSS for quashing of impugned interim order dated 06.03.2026 (Annexure P-1) passed by Ld. JMIC, Kapurthala in complaint bearing No. COMA-66-2018 dated 31.10.2018 (Annexure P-2) U/s 3k (1), 18 & 29 of the Insecticides Act, 1968 r/w Rule 27(5) of Insecticides Rules 1971, filed by respondent No.2, declaring petitioner as Proclaimed Person along with all subsequent & consequential proceedings arising therefrom.

2. Learned counsel for the petitioner contends that the petitioner was earlier declared a Proclaimed Person in complaint No. COMA-63-2018 dated 31.10.2018, vide order dated 17.01.2025 (Annexure P-6), due to inadvertent non-appearance caused by miscommunication with counsel. Owing to this, the petitioner had a genuine apprehension that appearing before the learned Trial Court in the present case would lead to his

immediate arrest in the earlier matter. It is further submitted that his bail was

cancelled on 02.07.2024 (Annexure P-7), and he was subsequently declared a Proclaimed Person vide order dated 06.03.2026 (Annexure P-1). The non-appearance of the petitioner was thus bona fide and driven by fear of arrest, not an intention to evade the process of law. He is ready and willing to join the proceedings and it is prayed that one opportunity may be granted to him to surrender before learned trial Court, which may be even subject to costs.

3. Notice of motion.

4. On the asking of the Court, Mr. Sahil Chowdhary, AAG, Punjab, accepts notice on behalf of respondent-State and submits that the order passed against the petitioner is legal and valid on account of the fact that he had absented from the proceedings before the trial Court without any just cause.

5. I have heard learned counsel for the parties and perused the record of the case file.

6. The very purpose of initiation of proclamation proceedings, is to compel and secure the presence of the accused to face trial and establish the rule of law, as also to ensure finalization of the proceedings.

7. This Court observes that although the petitioner did not appear before the Trial Court, his explanation that he feared immediate arrest cannot be completely rejected at this stage. Since the petitioner has now expressed his willingness to appear and join the proceedings, it would be fair to give him one opportunity to surrender before the Trial Court. This is particularly so when order dated 17.01.2025 declaring him proclaimed person in the other complaint bearing COMA-63-2018 has also been set aside.

8. In view of the aforesaid facts and circumstances, the impugned order dated 06.03.2026, Annexure P-1, is set aside. The petitioner is directed

to surrender before the trial Court on or before 01.05.2026 and on doing so, shall be released on bail subject to its satisfaction and payment of costs of Rs.10,000/- to be deposited with the Punjab State Legal Services Authority. On furnishing bail/surety bonds, he is also directed to furnish undertaking by way of an affidavit that he will appear on each and every date of hearing before the trial Court, unless specifically exempted by the Court. He shall not leave the country without prior permission of the Court. The trial Court may impose any other condition that it may deem appropriate in the facts and circumstances of the present case.

- 9. Disposed of accordingly.
- 10. Before parting with this order, it is made abundantly clear that in case the petitioner does not adhere to the aforesaid, the present petition shall be deemed to have been dismissed without any reference to this Court.
- 11. All pending miscellaneous application(s), if any, stands disposed of.

22.04.2026
Poonam Negi

(MANDEEP PANNU)
JUDGE

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