

CRM-M-25778-2025

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

**CRM-15034-2026 in/and
CRM-M-25778-2025
Date of Decision: 08.04.2026**

Mukesh Mehta

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Bipan Ghai, Sr. Advocate with
Mr. Nikhil Ghai, Advocate, for the petitioner.

Rajesh Bhardwaj, J. (ORAL)

CRM-15034-2026

Prayer in the present application is for preponing the date of hearing in the main case.

Notice in the application.

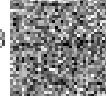
Mr.Raj Karan Singh, AAG, Punjab, accepts notice on behalf of the State and pleads no objection, if the present application is allowed.

For the reasons mentioned in the application, the same is allowed. Date of hearing in the main case is preponed from 22.04.2026 to today. The case is taken up on board for hearing today itself.

Main case

1. Prayer in the present petition is for quashing of the impugned order dated 25.05.2018 (Annexure P-18) passed by learned JMIC, Tarn Taran, in a case FIR No.93 dated 27.06.2015, under Sections 406, 420, 120-B IPC, registered at Police Station Sarhali, District Tarn Taran vide which the petitioner has been declared proclaimed person.

2. Learned counsel for the petitioner contends that the petitioner



has been falsely implicated in the present case. It is submitted that the petitioner filed petition for the grant of anticipatory bail before this Court, which remained pending from 15.09.2015 to 16.02.2016 and petition for quashing of the FIR, which remained pending from 15.09.2015 to 09.12.2019, however, learned trial Court in violation of the mandatory provisions of Section 82 Cr.P.C., declared the petitioner as proclaimed offender vide order dated 25.05.2018. It is further submitted that the petitioner's absence was neither deliberate nor intentional, but occurred due to circumstances beyond his control. The petitioner is now willing to appear before the Court concerned, join the proceedings, face the trial, and comply with any conditions imposed by the Court. Accordingly, it is prayed that the order dated 25.05.2018 declaring the petitioner a proclaimed person be set aside.

3. Notice of motion.

4. Mr.Raj Karan Singh, AAG, Punjab, accepts notice on behalf of the State. He controverts the submissions made on behalf of the petitioner and submits that the petitioner deliberately avoided the process of law and remained absconding despite issuance of warrants. It is contended that due procedure under Section 82 Cr.P.C. was duly followed and sufficient opportunities were afforded to the petitioner to appear before learned trial Court.

5. After hearing learned counsel for the parties and perusing the record, it is apparent that the petitioner was declared a proclaimed person vide order dated 25.05.2018 due to his non-appearance. Without entering into the merits or examining the authenticity of the grounds urged for the

petitioner’s absence, this Court deems it appropriate to set aside the order dated 25.05.2018 declaring the petitioner a proclaimed person. Accordingly, the said order is set aside, subject to the petitioner depositing a sum of Rs.1,00,000/- (Rupees One lac only) as costs within seven days from the date of receipt of a copy of this order, in the manner specified below.

- (i)

Rs.25,000/-

Punjab and Haryana High Court Employees’ Welfare Fund, Chandigarh.
- (ii)

Rs.25,000/-

Punjab and Haryana High Court Bar Association Welfare Fund, Chandigarh.
- (iii)

Rs.25,000/-

Punjab and Haryana High Court Bar Clerks Association, Chandigarh.
- (iv)

Rs.25,000/-

Sadhna Society for Mentally Handicapped, Near Housing Board Chowk, Raen Basera Building, Manimajra, Sector 13, Chandigarh

6. The petitioner is directed to appear before the trial Court within a period of ten days from the date of receipt of copy of this order and file an appropriate application alongwith receipt of costs of Rs.1,00,000/- and the trial Court would deal with same expeditiously in accordance with law. The petitioner will have protection from arrest till the decision of the bail application, if any filed.

7. Needless to say that in case the petitioner fails to comply with the abovesaid direction, this order would be of no avail to him and the order dated 25.05.2018 will come in force and the present petition shall be deemed to have been dismissed.

8. Petition stands disposed of in abovesaid terms.

08.04.2026

sharmila

(RAJESH BHARDWAJ)

JUDGE

Whether Speaking/Reasoned

:

Yes/No

Whether Reportable

:

Yes/No