



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

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**CRM-M-29328-2026  
Decided on : 22.05.2026**

**Rajdeep Singh**

... Petitioner

Versus

**State of Punjab and another**

... Respondents

**CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

PRESENT: Ms. Damanpreet Kaur, Advocate for  
Mr. Narinder Singh Dadawal, Advocate for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

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**SANJAY VASHISTH, J. (Oral)**

1. By way of present petition filed under Section 528 of BNSS petitioner is seeking quashing/setting aside of order dated 07.05.2025(Annexure P-5), whereby the petitioner has been declared as proclaimed Person/offender in case No. COMA No.22 of 2021, alongwith consequential proceedings arising therefrom.

2. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present complaint, which is a counter-blast to FIR No. 0015 dated 29.01.2021 registered at Police Station Mukerian, District Hoshiarpur at the instance of the petitioner. Learned counsel for the petitioner further submits that in the complaint case, petitioner along with co-accused has been summoned vide order dated 19.05.2023 passed by the learned Sub-Divisional Judicial Magistrate, Mukerian (Annexure P-3). It is also submitted that after registration of the complaint, petitioner had gone abroad (Italy) for earning his livelihood.

Learned counsel for the petitioner also submits that during the pendency of the proceedings, matter has been amicably compromised between the parties and the complainant has no objection to quashing of the

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complaint and consequential proceedings. Copy of compromise is Annexure P-6.

Learned counsel further submits that the petitioner apprehends his arrest on account of having been declared a proclaimed person. However, he is ready and willing to surrender before the learned Trial Court and join the proceedings so as to facilitate the early conclusion of the case, and undertakes to fully cooperate with the trial proceedings.

It is further submitted that the petitioner's absence before the learned Trial Court was neither intentional nor deliberate, but occurred due to the reasons stated hereinabove. Lastly, learned counsel submits that if one more opportunity is granted to the petitioner by extending protection from arrest, he undertakes to remain present on all future dates of hearing, unless exempted by the Court, and shall fully cooperate for the expeditious conclusion of the trial.

3. Notice of motion.

4. On asking of the Court, Mr. Neeraj Madaan, Sr. DAG, Punjab, who is present in Court, accepts notice on behalf of the respondent/State.

A copy of the complete paper book has been supplied to him by learned counsel for the petitioner.

5. Learned State counsel opposes the prayer of the petitioner and submits that the petitioner has willfully remained absent from the proceedings before the learned Trial Court and, therefore, does not deserve any leniency. It is contended that the petitioner be directed to surrender before the Court and face trial.

6. I have heard learned counsel for the parties and perused the



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relevant material on record. It is evident that petitioner is inclined to join the process of law, and by way of present petition, he is seeking one chance to join the proceedings before the learned Trial Court, by abiding to the terms and conditions.

7. In number of cases, wherein, accused stopped appearing in criminal cases, the Courts are compelled to declare accused as 'Proclaimed Person/Proclaimed Offender'. After examining the facts, this Court has formulated a uniform method to ensure the presence of accused before the concerned Court, to enable it to proceed further instead of delaying the proceedings by awaiting the presence of accused.

Intentional or unintentional default of the accused can be dealt with by examining the facts from case to case involved, and where it is realized that absence or prolonged absence of such accused is intentional to evade the process of law, he/she can be penalized examining the nature of crime in which he is facing the proceedings and thereupon by imposing some cost amount subject to his/her capacity to pay.

Primary object of every Court is only to examine the commission of crime in question before it *vis a vis* the person/accused, who is subjected to such proceedings, and if possible justice be imparted at the earliest without unnecessary delay. It is not expected that undue time would be devoted in securing the presence of absconded accused and also to waste energy by enforcing the special mechanism to arrest such accused.

Considering all such aspects, this Court in the case of ***Ashish Kumar Honda @ Ashish Handa Vs. State of Punjab, 2022 (4) RCR (criminal) 765; Law Finder Doc Id # 20238111*** considered similar plea of



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appearance, expressed at the instance of the accused, who failed to appear before the Court at appropriate time, and observed that:

*“paramount consideration of the Court is to secure presence of accused on each and every date for speeding up the trial for its final conclusion. Already Courts are flooded with so much litigation, resulting in slow pace of work, because of more than one reason. The required energy and manpower be used for expediting the proceedings of the Court, instead of running after the accused persons to get hold of them.”*

Again, this Court has considered the aforementioned similar plea in case **Veena @ Veena Devi v. State of Punjab** (CRM-M-2206-2025, ***decided on 16.01.2025***).

8. In the totality of circumstances, I am of the view that the petitioner may be granted one opportunity to appear before the trial Court so that the proceedings can recommence and continue smoothly. Accordingly, the plea of the petitioner is accepted to the extent of setting aside the impugned order dated 07.05.2025(Annexure P-5), whereby petitioner was declared a ‘proclaimed person/offender.’ Petitioner is directed to be released on bail upon his surrender before the trial Court on or before 08.06.2026.

9. Petitioner shall also furnish fresh bail bonds/surety bonds to the satisfaction of the trial Court. In addition, petitioner shall submit a specific undertaking/affidavit affirming that he will regularly appear during the trial proceedings in the future, and that the proceedings shall not be delayed on account of his conduct.

10. However, this order shall be subject to the payment of Rs.10,000/- as costs, to be deposited by the petitioner in an Old Age Home of the area, as may be decided by the learned Trial Court. The Trial Court shall also specify the time frame within which such costs will be required to be

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deposited, but not more than two weeks, failing which this order would not be of any advantage to the petitioner.

11. However, it is made clear that in case an FIR under Section 209 of the BNS (corresponding to Section 174-A IPC) has already been registered and the same is pending and not under challenge before this Court in the present proceedings, the instant order shall be deemed to be inoperative.

12. With aforementioned terms, present petition stands disposed of.

**(SANJAY VASHISTH)**  
**JUDGE**

**22.05.2026***rashmi*

*Whether speaking/reasoned:*    *Yes/No*  
*Whether Reportable:*            *Yes/No*