



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

CRM-M-28704-2026

Date of decision : 20.05.2026

Kawaljeet Singh @ Jota

.....Petitioner

versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Gurmanpreet Singh, Advocate for
Mr. Naveen Bawa, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

1. Prayer in the present petition is for quashing of order dated 29.07.2024 passed by learned SDJM, Baba Bakala Sahib, District Amritsar in case FIR No.54 dated 08.08.2023, under Sections 302, 120-B, 506 of IPC and Sections 25 & 27 of the Arms Act, 1959 (Section 379-B of IPC added later on) at Police Station Mehta, District Amritsar vide which the petitioner has been declared as proclaimed offender without complying with the mandatory provisions envisaged under Section 82 Cr.P.C. along with subsequent proceedings arising therefrom.

2. It has been contended by counsel for the petitioner that the petitioner was unaware that he has been arrayed as accused in the FIR in question on the basis of the supplementary statement of the complainant which was recorded after registration of the FIR. He has submitted that an application for issuance of arrest warrants of the present petitioner along with co-accused was filed before the learned SDJM, Baba Bakala Sahib, Amritsar and vide order dated 12.10.2023, non-bailable warrants of arrest



were issued against the petitioner. He has submitted that vide order dated 12.02.2024 proclamation against the petitioner along with co-accused were issued and ultimately, vide order dated 29.07.2024, the petitioner was declared as proclaimed offender by the learned SDJM, Baba Bakala Sahib, Amritsar without complying the provisions of Section 82 Cr.P.C. He has submitted that similarly situated co-accused, namely, Sarabjit Singh @ Shabba who was also declared as proclaimed offender, approached this Court by way of filing CRM-M-15430-2025 for quashing of impugned order dated 29.07.2024 which was disposed of by this Court vide order dated 20.03.2025. He has further stated that now the petitioner is ready to appear before the trial Court and join the proceedings. He has further submitted that the petitioner is ready to abide by the terms and conditions if any imposed by this Court. He, thus, has submitted that the order dated 29.07.2024 passed by learned SDJM, Baba Bakala Sahib, declaring the petitioner as proclaimed offender, is liable to be *set aside*.

3. Notice of motion.

4. Mr. Ekompal Sagoo, AAG, Punjab Advocate has accepted notice on behalf of the respondent-State. He has opposed the submissions made by learned counsel for the petitioner and has stated that learned trial Court has rightly declared the petitioner as proclaimed offender who remained absent despite order.

5. After hearing learned counsel for the parties and perusing the record, it is apparent that during the trial, the petitioner remained absent and was ultimately, declared as proclaimed offender vide order dated 29.07.2024. As submitted, petition of the similarly situated co-accused, namely, Sarabjit Singh @ Shabba, for quashing of impugned order

declaring him as proclaimed offender, has been quashed by this Court vide order dated 20.03.2025. Now the petitioner is keen to join the proceedings. So keeping in view the abovesaid facts, the present petition is disposed of and the order dated 29.07.2024 passed by the learned SDJM, Batala Bakala Sahib, District Amritsar, is *set aside* subject to payment of cost of Rs.50,000/- **i.e. Rs.25,000/- to be deposited with the Society for the Care of Blind, Sector-26, Chandigarh and Rs.25,000/- to be deposited with 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 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.

20.05.2026
m. sharma

(RAJESH BHARDWAJ)
JUDGE

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