



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

149

CRM-M-31007-2026

Date of decision : 27.05.2026

ROSHAN KUMAR @ ROUSHAN KUMAR

..... PETITIONER

VERSUS

STATE OF PUNJAB

..... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present : Ms. Varsha Choudhary, Advocate
for the petitioner.

Mr. Eklavya Darshi, Deputy Advocate General, Punjab.

SURYA PARTAP SINGH. J.(Oral)

1. This is a petition filed by the petitioner under Section 528 of Bharatiya Nagarik Suraksha Sanhita 2023, seeking for quashing of order dated 23.02.2024 (Annexure P-3), whereby he has been declared proclaimed offender by the Court of learned Judicial Magistrate 1st Class, Ludhiana, hereinafter being referred to as 'trial Court' only.

2. **Notice of motion.**

3. Since advance notice has already been served upon the State, Mr. Eklavya Darshi, Deputy Advocate General, Punjab, has appeared on behalf of respondent-State. Hence, service of notice upon the State is hereby dispensed with. However, no formal reply has been filed by the

State and the learned State counsel has opted to orally oppose the present petition.

4. The learned counsel for the petitioner has submitted that the petitioner would be satisfied, and would not press this petition, if he is permitted to appear before the learned trial Court, and a direction is given to the learned trial Court to dispose of the bail application moved by the petitioner within a time-bound manner.

5. In view of above, the present petition is hereby ***disposed of*** with a direction to the petitioner to surrender before the learned trial Court within a period of two weeks from today. If the petitioner surrenders before the learned trial Court within the stipulated period and moves an application for bail, the learned trial Court shall dispose of the bail application within three days. It is, however, clarified that the learned trial Court in the exercise of its discretion shall be at liberty to take the petitioners into custody and/or impose penalty under Section 491 of BNSS (erstwhile Section 446 of Cr.P.C), as per law.

(SURYA PARTAP SINGH)
JUDGE

27.05.2026

vipin

Whether speaking/reasoned	:	Yes
Whether Reportable	:	No