



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

156

CRM-M-33823-2026

Date of Decision: 12.06.2026

TARUN KUMAR**....PETITIONER****VS****STATE OF PUNJAB AND ANOTHER****.....RESPONDENTS****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present:- Mr. Pardeep Kumar, Advocate
for the petitioner.

Mr. Satjot Singh Chahal, AAG, Punjab.

SANDEEP MOUDGIL, J.(ORAL)

The jurisdiction of this Court has been invoked under Section 528 of BNS, 2023(corresponding Section 482 of Cr.P.C) for quashing of impugned order dated 20.04.2026 (P-6) vide which the petitioner is declared proclaimed offender and order dated 19.12.2025 (Annexure P-3) vide which the bail of the petitioner was cancelled and non-bailable warrant for arrest were passed by the Ld. Judicial Magistrate First class, Gurdaspur in case bearing No. NACT-117-2021 along with all subsequent proceedings of the case.

Learned counsel for the petitioner submits that the petitioner failed to appear before the Trial Court on 19.12.2025 due to inadvertent noting of an incorrect date. Consequently, his bail was cancelled and the bail/surety bonds were forfeited to the State. It is further contended that although non-bailable warrants were issued, the same remained unexecuted, and without proper service or compliance with the mandatory procedure, proceedings under Sections 82 and 83 Cr.P.C. were initiated vide order dated 23.02.2026. Learned counsel for the petitioner submits that the petitioner could not properly served and hence could not comply with the orders of the Court. He further submits that there is no material on record to show that the petitioner was deliberately evading the process of law.

Learned counsel for the petitioner though at the outset without contesting the order dated 19.12.2025(P-3) and 20.04.2026 (P-6) on merits undertakes to join the trial proceedings within ten days.

Notice of motion.

Mr. Satjot Singh Chahal, AAG, Punjab accepts notice on behalf of respondent/State and not averse to the undertaking given on behalf of the petitioner.

Without addressing the merits of the case or the legality of the orders, as the same has not been contested by the learned counsel for the petitioner, has voluntarily agreed to join the proceedings before the trial court and to pay a penalty of Rs. 10,000/- to the Punjab & Haryana High Court Bar Lawyer’s Family Welfare Fund, Account No.41564846387, IFSC Code: SBIN0050306 Bank Name-SBI High Court Branch for causing unwarranted delay in the trial proceedings, the order dated 19.12.2025 (P-3) and 20.04.2026 (P-6) are hereby set aside.

However, the aforesaid order would be subject to fulfillment of undertaking given before this Court on behalf of the petitioner that he will surrender before the trial Court within ten days. If any application seeking bail is moved by the petitioner, the same be considered by the Court below preferably on that very day in accordance with law.

The amount so deposited by the petitioner shall not be construed as cost for this order but penalty for stalling the court proceedings by evading himself from trial for a long time.

The petition stands disposed off in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

12.06.2026

Jyoti-V

Whether her Speaking/reasoned
Whether Reportable

Yes/No
Yes/No