



CRM-M-54498-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CASE NO.: CRM-M-54498-2025
DATE OF DECISION: January 15, 2026

Abhishek @ Yonti

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Balbir Kumar Saini, Advocate,
for the petitioner.

Mr. Vinay Malhotra, DAG, Punjab.

SANJAY VASHISTH, J.

1. This is third petition under Section 528 of the BNSS, 2023, for setting aside the impugned order dated 06.11.2024 (Annexure P-6), passed by learned Judicial Magistrate Ist Class, Ferozepur, whereby the petitioner was declared as proclaimed offender in case FIR No. 23, dated 04.03.2020, under Sections 307, 323, 148 & 149 IPC, and Section 25 of the Arms Act, registered at Police Station Cantt. Ferozepur, District Ferozepur.

2. This petition was filed through Mr. Tarun K. Sharma, Advocate (Enrolment No. P/3684/2010) and Mr. Tarun Sharma, Advocate (Enrolment No. P/1804/2012). On 26.09.2025, Mr. Simranjeet Singh, Advocate, appeared on behalf of Mr. Tarun Kumar Sharma, Advocate, representing the petitioner, and following order was passed by this Court:-

*“Present: Mr. Simranjeet Singh, Advocate for
Mr. Tarun Kumar Sharma, Advocate for the
petitioner.*



i) *Present petition has been filed under Section 528 of BNSS, for setting aside the impugned order dated 06.11.2024(P-6) passed by learned Judicial Magistrate First Class, Ferozepur, whereby petitioner was declared Proclaimed offender in case FIR No.23 dated 04.03.2020, under Sections 307, 323, 148, 149 IPC and Section 25 of Arms Act, registered at Police Station Cantt, Ferozepur, District Ferozepur.*

ii) *When the first petition i.e. CRM-M-63789-2024 for quashing the impugned order was filed, this Court passed the following order on 17.01.2025:*

“1. Present petition filed under Section 528 of BNSS, 2023 seeking quashing of order dated 06.11.2024, passed by learned Judicial Magistrate First Class, Ferozepur, whereby the petitioners namely; Karan @ Karni and Abhishek @ Yonti had been declared as Proclaimed person in case FIR No. 23 dated 04.03.2020, under Sections 307, 323, 148, 149 IPC and Section 25 of Arms Act, 1959, registered at Police Station Cantt Ferozepur.

2. Since, Abhishek-petitioner No.2 was attributed with firing shot by entering the house of the complainant, counsel for the petitioners prays for withdrawal of the present petition qua petitioner No.2-Abhishek.

Ordered accordingly.

3. Learned counsel for the petitioner informs that before approaching to this Court, petitioner-Karan @ Karni was declared as proclaimed offender by learned Judicial Magistrate First Class, Ferozepur vide order dated 06.11.2024. Learned counsel for the petitioner submits that petitioner is inclined to join the process of law by putting in appearance before the concerned Court, however, prays for grant of some interim protection.

4. Notice of motion.

5. On advance notice Mr. Amandeep Singh Samra, AAG, Punjab, appears on behalf of the respondent-State.



6. *Considering the submissions addressed, averments made in the present petition and petitioners inclination to surrender to the process of law, this Court deems it appropriate to grant one opportunity to the petitioner to appear before the Court so that the proceedings before the Court may start.*

7. *Since, the endeavor of the Court is to secure the presence of the each and every accused, therefore, petitioner is directed to appear before the trial Court on or before 10.02.2025 and on his appearance he would be released on bail subject to his furnishing fresh bail bonds/surety bonds to the satisfaction of the trial Court. Besides, petitioner would submit specific undertaking/affidavit that he will keep appearing during the proceedings of the trial in future and the proceedings would not be delayed because of his conduct.*

8. *In view of above, the present petition is allowed qua petitioner No.1-Karan @ Karni.*

9. *Needless to mention here that on compliance of all the conditions mentioned hereinabove, impugned order dated 06.11.2024 (Annexure P-1) and the subsequent orders would become inoperative qua the petitioner No.1-Karan @ Karni.*

10. *However, it is clarified that no further extension would be granted to the petitioner for surrendering before the concerned Court.”*

Petitioner again approached this Court for the second time by filing CRM-M-13287-2025, which was disposed of as withdrawn by an order dated 12.03.2025, by noticing the following

“1. Petitioner has filed the present petition under Section 528 of BNSS, 2023, for quashing of order dated 06.11.2024, passed by Ld. JMIC, Ferozepur (Annexure P-1), in case FIR No.23, dated 04.03.2020, under Sections 307, 323, 148, 149 of IPC, 1860 and Section 25 of the Arms Act, 1959, registered at Police Station Cant. Ferozepur (Annexure P-2), whereby, petitioner has been declared as 'proclaimed offender', and all the consequential



proceedings arising therefrom, on the basis of the compromise dated 27.09.2024 (Annexure P-3), effected between the parties.

2. On the very outset, counsel for the petitioner seeks withdrawal of present petition.

3. Dismissed as withdrawn.”

iii) Counsel prays for sometime to assist the Court as arguing counsel for the petitioner is stated to be not available.

List on 13.10.2025.”

3. Thereafter, on 13.10.2025 and 04.12.2025, instant petition was adjourned on the request made by Mr. Vikas Malik, Advocate, who appeared on behalf of Mr. Tarun Kumar Sharma, Advocate, representing the petitioner.

4. Today, Mr. Balbir Kumar Saini, Advocate (Enrolment No. P/3003/2012) put in appearance on behalf of the petitioner, and filed his Vakalatnama, with ‘no objection’ from earlier counsel, namely, Mr. Tarun Sharma, Advocate, which is taken on record. Registry to tag the same at appropriate place.

5. Since the petitioner – Abhishek @ Yonti had earlier filed CRM-M-63789-2024, alongwith co-accused Karan @ Karni, whereby the order impugned herein, i.e. dated 06.11.2024, declaring him proclaimed offender was assailed, had been withdrawn by the counsel, present petition, which is third in row, seeking same relief is not maintainable.

While saying so, it is also noticed that another petition, bearing CRM-M-13287-2025 (2nd petition), was also filed by the petitioner – Abhishek @ Yonti, for quashing the order dated 06.11.2024,



on the basis of compromise dated 27.09.2024, effected between the parties. This petition was also dismissed being withdrawn, vide order dated 12.03.2025 (Annexure P-10).

5. Accordingly, present petition is dismissed being not maintainable.

(SANJAY VASHISTH)
JUDGE

January 15, 2026
Pkapoor

Whether Speaking/Reasoned	YES/NO
Whether Reportable	YES/NO