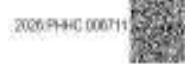


CRM-1206-2026 IN/&
CRM-M-65228-2025 (O&M)

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123+244 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH



CRM-1206-2026 IN/&
CRM-M-65228-2025 (O&M)
Date of Decision: 19.01.2026

KULWINDER SINGH ALIAS KAKU ... PETITIONER
VERSUS
STATE OF PUNJAB ... RESPONDENT

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. Kirpal Singh Thakur, Advocate &
Mr. Rahul Bhargava, Advocate for the petitioner.
Mr. Rohit Hans, D.A.G., Punjab.

H.S. GREWAL, J. (ORAL)

CRM-1206-2026

This is an application for placing on record Annexures P-14 & P-15.

Application is allowed.

Annexures P-14 and P-15 are taken on record.

Registry is directed to tag the same at the appropriate place.

Disposed of.

MAIN CASE

1. This petition has been filed under Section 528 of BNSS seeking setting aside/ quashing of order dated 09.07.2024 passed by learned Judicial Magistrate First Class, Dera Bassi whereby the petitioner was declared as proclaimed offender in FIR No. 5 dated 04.01.2023 under Sections 307,323,506,341,148,149 of IPC and under Section 302,120-B,34 of IPC (added later on) registered at Police Station Zirakpur, District SAS Nagar and all the subsequent proceedings arising therefrom.

2. On 19.11.2025, this Court had passed the following order:

“xxxxxx

Learned counsel for the petitioner submits that the only allegation attributed to the petitioner is that he inflicted an injury on the right-hand thumb of the complainant. It is further submitted that the petitioner was granted the concession of interim bail by this Court vide order dated 31.03.2023 and, during the period of interim bail, the cause of death of the deceased, Bahadur Singh, was under examination. Subsequently, a report was received from PGIMER, Chandigarh, opining that the "cause of death was septicemia due to hospital-acquired infection, possibly due to prolonged hospitalization after grievous injuries, which were likely to result in death." Learned counsel further contends that despite these circumstances, the petitioner was erroneously declared a proclaimed offender by the learned trial Court during the pendency of the inquiry before the SIT constituted in the matter, and the mandatory provisions of law were not followed.

Notice of motion.

Mr. H.S.Deol, Sr. DAG, Punjab accepts notice on behalf of the respondent-State. He seeks some time to file reply.

Adjourned to 19.01.2026.

Needful be done on or before the date fixed.

In the meantime, the petitioner is directed to surrender before the trial Court within a period of ten days and file an application for bail. Upon his doing so, the trial Court is directed to release him on interim bail, subject to its satisfaction, till the next date fixed before this Court."

3. Learned counsel for the petitioner contends that in compliance to the aforesaid order, the petitioner has surrendered before the learned trial Court and he has been granted bail by the learned trial Court.

4. Learned State counsel does not dispute the abovesaid fact.

5. Keeping in view the facts and circumstances of the case, the present petition is disposed of. The order dated 19.11.2025 passed by this Court is hereby made absolute. Consequently, the order dated 09.07.2024 passed by the learned Judicial Magistrate First Class, Dera Bassi declaring the petitioner as proclaimed offender is hereby set aside.

(H.S.GREWAL)
JUDGE

19.01.2026

Janki

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No