





petitioner was declared as proclaimed person on 18.02.2025 (Annexure P-4).

Learned counsel for the petitioner submits that the absence of the petitioner was not willful.

3. Notice of motion.

4. Learned State counsel puts an appearance and opposes the request of the petitioner by pointing that the petitioner has hoodwinked the process of law as such, his present petition deserves to be dismissed. There is every possibility that he will again absent himself from the proceedings which will delay the trial.

5. There are number of situations where the learned Trial Court to secure the presence of the accused has to use coercive methods by issuing non-bailable warrants and in some cases even declaring them proclaimed offender/proclaimed person. Continuing these proceedings would further delay the trial below as the presence of accused is necessary for the continuation of the trial. As such, this Court deems it appropriate that in such like situation accused be directed to appear before the learned Trial Court so that trial may continue.

6. Whether the default on the part of the accused is intentional or unintentional depends on facts of each case. In cases where it is found that absence of accused was intentional to evade the process of law, the accused can be penalised by imposing some cost.

7. In the present case, the petitioner did not appear on 12.12.2023 before the learned Trial Court and ultimately on 18.02.2025 he was declared as proclaimed person. By filing the present petition the petitioner has shown his intention to submit before the learned Trial Court.



8. Considering the totality of circumstances, this Court is of the view that the petitioner can be directed to appear before the trial Court, so that trial may resume. Accordingly, plea of the petitioner is accepted. Impugned order dated 18.02.2025 (Annexure P-4) is set aside to the extent of declaring the petitioner as 'proclaimed person', and he is directed to be released on bail, in the eventuality of surrender by him before the trial Court on or before 30.10.2025 subject to payment of Rs.10,000/- as costs to be deposited by the petitioner in Punjab State Legal Services Authority-Disaster Relief Fund, Account No.44426937384, IFSC:SBIN0014656, State Bank of India, Sector 68, SAS Nagar, Mohali.

10. The petitioner shall also furnish fresh bail bonds/surety bonds to the satisfaction of the trial Court. Besides, petitioner will also submit an undertaking/affidavit that he will keep appearing during the proceedings of the trial in future and the proceedings will not be delayed because of his conduct.

11. It is made clear that in case, petitioner fails to appear before the trial Court within a stipulated period, this order shall be deemed to be vacated.

12. With aforementioned terms, present petition stands disposed of.

15.10.2025

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i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No

**(RUPINDERJIT CHAHAL)**  
**JUDGE**