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

CRM-M-10785-2025

Date of decision : 25.02.2025

Sandeep Singh @ Vicky

.....Petitioner

Versus

State of Punjab

..... Respondent

**CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr. Kamal Gupta, Advocate  
for the petitioner.

**RAJESH BHARDWAJ, J. (Oral)**

1. Prayer in the present petition is for quashing of impugned order dated 24.12.2024 (Annexure P-10) passed by the Court of learned Judicial Magistrate Ist Class, Patti, and subsequent orders arising therefrom, whereby the petitioner has been declared proclaimed offender in FIR No.0171 dated 23.11.2023 under Sections 326, 148, 149 (section 307 IPC added lateron), registered at Police Station Bhikhiwind, District Tarn Taran. Further prayer has been made for staying the further proceedings arising out of the impugned order.

2. It has been contended by learned counsel for the petitioner has further submitted that the petitioner had approached this Court by way of filing of **CRM-M-20934-2024 (Sandeep Singh @ Vicky Vs. State of Punjab)**, wherein he was granted the concession of ad-interim bail vide order dated 05.06.2024 and the same was made absolute vide order dated 08.07.2024. He has further submitted that the challan in the present case was presented in the trial Court in the absence of the petitioner and the learned trial Court issued notice. He submits that without getting service report of the above said notice, ld. trial Court directly issued non-bailable



warrants against the petitioner and ultimately issued proclamations under Section 82 Cr.P.C. vide orders dated 04.10.2024, 18.10.2024, 30.10.2024 and 14.11.2024 but report of the above proclamations did not received either served or unserved. He has further submitted that the petitioner was never served, so, he was unaware about the pendency of the present case. He has further submitted that there is nothing on record to show that the petitioner ever refused to accept the notice of the Court or remained away from the Court intentionally. He has submitted that the petitioner is ready to join the proceedings and abide by terms and conditions of bail, if any imposed by this Court.

3. Notice of motion to official respondent only.
4. On asking of the Court, Mr. Tarun Aggarwal, Sr. D.A.G., Punjab accepts notice on behalf of the respondent-State.
5. Learned State counsel has opposed the submissions made by learned counsel for the petitioner and has stated that the trial Court has rightly issued the proclamation under Section 82 Cr.P.C. to secure the presence of accused/petitioner, who remained absent on several dates without any valid reason.
6. After hearing counsel for the parties and perusing the record, it is apparent that the reason given by the petitioner for his absence is non service of notice of the Court. The petitioner has alleged that he was unaware about the proceedings as he was never served but now he is keen and ready to join the proceedings and face the trial, so without going into the contentions raised by learned counsel for the petitioner that the petitioner was never served with the notice, this Court dispose of the present petition and the impugned order dated 24.12.2024 is *set aside* subject to payment of Rs.10,000/- as costs to be paid to the **‘Punjab and**



**Haryana High Court Bar Association'** by the petitioner within one week from today. In case, the petitioner appears and surrenders before the Court concerned within a period of 10 days from today and files an application for bail alongwith receipt of abovesaid costs, the Court concerned is directed to admit him to bail subject to its satisfaction and proceed with the trial in accordance with law. He will have protection from arrest for a period of 10 days from today.

7. Needless to say that in case the petitioner fails to comply with the abovesaid direction, he will have no benefit of abovesaid protection granted by this Court and order under challenge dated 24.12.2024 would come in force and the present petition shall be deemed to have been dismissed.

25.02.2025

*ps-I*

( **RAJESH BHARDWAJ** )  
**JUDGE**

Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No