



CRM-M-5760-2025

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

CRM-M-5760-2025

Date of Decision: 29.04.2025

Pargat Singh

..... Petitioner

Versus

The State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Navraj Singh, Advocate, for the petitioner
(through VC).

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for quashing of the order dated 27.02.2024 (Annexure P-3) passed by learned Judicial Magistrate First Class, Amritsar in FIR No.131, dated 23.08.2019 under Sections 61, 1, 14 of the Punjab Excise Act, 1914, registered at Police Station Kamboj, District Amritsar Rural, vide which the petitioner has been declared as proclaimed person.

2. It has been contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. He has submitted that the petitioner was granted regular bail by learned trial Court vide order dated 29.08.2019. He submits that as the petitioner was not provided the dates hearing before the trial Court by his counsel, he could not appear before the trial Court and declared proclaimed person vide order dated 27.02.2024. He submits that the petitioner was unaware of the order declaring him proclaimed person. He submits that now petitioner is keen to join the proceedings and face the trial in the above said case and as such the order 27.02.2024 be set aside.

3. Notice of motion.

4. Mr. Tarun Aggarwal, Sr. DAG, Punjab, accepts notice on



behalf of the State. He has opposed the submissions made by counsel for the petitioner and has submitted that the petitioner intentionally did not appear before the trial Court and he was rightly declared proclaimed person.

5. After hearing learned counsel for the parties and perusing the record, it is evident that due to non-appearance of the petitioner, he was declared as proclaimed person on 27.02.2024. The Court without going into the authenticity of the ground taken for the absence of the petitioner, deems it appropriate to direct him to appear before the Court concerned to face the trial in the present case, as now he is keen to join the proceedings and face the trial. In these circumstances, when the petitioner is ready to join the proceedings and face the trial, no useful purpose would be served by sending him behind the bars, therefore, the order dated 27.02.2024 is set aside subject to payment of Rs.10,000/- as costs to be paid by the petitioner to the **Society for the Care of Blind, Sector-26, Chandigarh** within a period of seven days from today

6. The petitioner is directed to appear before the trial Court within a period of ten days from today and file an appropriate application alongwith receipt of costs of Rs.10,000/- and the trial Court would grant him bail till the disposal of the case on his furnishing bail/surety bonds subject to its satisfaction. The petitioner will have protection from arrest for a period of ten days from today. The trial Court is free to impose any condition it likes on the petitioner while admitting him to bail.

7. Needless to say that in case the petitioner fails to comply with the abovesaid direction, this order would be of no avail to him and the order dated 27.02.2024 will come in force and the present petition shall be



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deemed to have been dismissed.

8. Petition stands disposed of in abovesaid terms.

29.04.2025

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Whether Speaking/Reasoned
Whether Reportable

(RAJESH BHARDWAJ)
JUDGE

: Yes/No
: Yes/No