



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

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**CRM-M-27937-2025 (O&M)
Date of decision: 27.05.2025**

Onkar Singh**...Petitioner****Versus****State of Punjab and another****...Respondents****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. R. K. Bajaj, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

Mr. Ravi Chadda, Advocate
for respondent No. 2.

MANISHA BATRA, J. (Oral)

1. The instant petition has been filed by the petitioner under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of proclamation notice dated 02.05.2024 issued against him by the learned trial Court as well as for quashing of FIR No. 0295 dated 18.11.2022, registered under Sections 420, 406 and 34 of IPC at Police Station Tanda, Hoshiarpur.

2. At the very outset, learned counsel for the petitioner has restricted his arguments only to quashing of proclamation notice dated 02.05.2024. It is submitted that since the petitioner was residing in Switzerland for the past 04 years, he was not aware about pendency of trial against him in the aforesaid case. Due to absence of the petitioner before the Court concerned, a proclamation has been issued against him, which is now pending for 02.06.2025. It is further submitted that the petitioner is ready to

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join the Court proceedings and for that purpose, he may be given liberty to surrender before the learned trial Court.

3. Keeping in view the aforesaid facts and also in view of the fact that the petitioner is ready to join the Court proceedings which would obviously help in speedy conclusion of trial, the present petition is partly allowed and the order dated 02.05.2024 is hereby quashed. The petitioner is directed to surrender before the Court concerned within a period of four weeks, subject to order for grant of anticipatory bail, if any passed on his petition to be filed under Section 482 of BNSS. In the absence of any order for grant of anticipatory bail and on such surrender, the petitioner shall be liable to be remanded to judicial custody subject to any order for grant of regular bail to be passed by the concerned Court in accordance with law.

4. Needless to observe that in case any application is filed before the concerned Court for grant of regular bail, then the concerned Court shall be bound to dispose of the same expeditiously and that nothing in this order shall be treated as expression of any opinion on merits so as to bind or influence the concerned Court in disposal of the same.

5. Till the appearance of the petitioner before the learned trial Court, his arrest shall remain stayed.

6. It is made clear that in case the petitioner fails to appear before the learned trial Court within a period of four weeks from today, this petition shall be deemed to be dismissed.

27.05.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

*Whether speaking/reasoned**Yes/No**Whether reportable**Yes/No*