



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

CRM-M-43845-2025

Date of decision: 01.09.2025

RAJ KUMAR

....Petitioner

Versus

STATE OF PUNJAB AND ANR.

....Respondents

CORAM:- HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present:- Mr. Ashok Giri, Advocate for the petitioner.

.....

RUPINDERJIT CHAHAL, J. (ORAL)

This petition under Section 528 of BNSS, 2023 is filed seeking quashing of the order dated 11.03.2019 (Annexure P-9) passed by learned Additional Chief Judicial Magistrate, Kapurthala, titled as '*State vs. Raj Kumar*' in case FIR No.58 dated 17.05.2016 registered under Sections 420, 120-B IPC at P.S. Sadar Kapurthala, District Kapurthala vide which the petitioner was declared proclaimed offender.

Learned counsel for the petitioner submits that the petitioner had no intention to evade the legal proceedings and has never deliberately avoided the process of law. He submits that the mandatory period of 30 days was not afforded to the petitioner as proclamation was issued on 23.01.2019 for 06.02.2019 which was pasted on 31.01.2019. Thus, there is defiance of Section 82(1) of Cr.P.C. A request is made that the petitioner



would surrender within a week from today and apply for regular bail, his application be taken up expeditiously.

The petition is disposed of.

In case the petitioner surrenders within a week from today and applies for regular bail, the court concerned shall take up the bail application on the same day and decide it as expeditiously as possible subject to payment of costs of Rs.20,000/- to be deposited in Poor Patients Welfare Fund, PGIMER, Chandigarh.

In case the petitioner fails to surrender within a week, this order shall stand vacated automatically without reference to the Court.

01.09.2025

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(RUPINDERJIT CHAHAL)
JUDGE

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