



CRM-M-25151-2025

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

CRM-M-25151-2025 (O&M)

Date of decision : 08.05.2025

Upkar Singh @ Bunty

.....Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Abhishek Singh, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)**CRM-19050-2025**

Allowed as prayed for.

Main case

1. Prayer in the present petition is for quashing of order dated 30.04.2025 (Annexure P-7) in FIR No.52 dated 09.04.2018, under Sections 18 of NDPS Act, registered at Police Station Division 2, Police Commissionerate, District Jalandhar, whereby the Ld. Court below had wrongly declared the petitioner proclaimed offender under Section 82 of Cr.P.C. Further prayer has been made for quashing of order dated 27.01.2025, whereby the ld. Court had cancelled the bail and forfeited the bail bonds of the petitioner.

2. It has been contended by counsel for the petitioner that after being granted the concession of bail in the above said case, the petitioner was regularly appearing before the trial Court. However, due to some misunderstanding the petitioner got the information that due to 26.01.2025 (Republic Day), 27.01.2025 has been declared as holiday and subsequently, he tried to contact his counsel from whom he came to know



that his bail bonds were forfeited by the Court below and issued non-bailable warrants against him. Thereafter, the matter was adjourned to 19.03.2025, wherein proclamation was issued against the petitioner and the matter was adjourned to 30.04.2025. On that date, Id. Court below, for non-appearance of the petitioner, declared him a proclaimed offender. He submits that the petitioner was unaware about he being declared a proclaimed offender and only came to know when he was collecting the necessary documents for setting aside the order dated 27.01.2025. He has further submitted that there is nothing on record to show that the petitioner remained away from the Court intentionally. He has submitted that the petitioner is ready to join the proceedings and abide by the terms and conditions of bail, if any imposed by this Court.

3. Notice of motion.

4. On asking of the Court, Mr. Tarun Aggarwal, Addl.A.G., Punjab accepts notice on behalf of the respondent-State, who submits that there is no illegality or infirmity in the impugned orders and the trial Court has rightly declared the petitioner as proclaimed offender.

5. From perusal of record, it appears that at the relevant time, the petitioner was not aware about the proclamation proceedings. There is nothing on the record to show that the petitioner remained away from the Court intentionally. However, now the petitioner is keen to join the proceedings before the Court below. In the light of above, this Court dispose of the present petition and the impugned orders dated 30.4.2025 and 27.01.2025 are *set aside* subject to payment of Rs.10,000/- as costs to be paid to the **“Day Care Centre for Elderly Disabled in home for old & Destitute People, Sector-15 Chandigarh”** by the petitioner within one week from today. In case, the petitioner appears and surrenders before the



Court concerned within a period of 07 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 07 days from today.

6. 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 orders under challenge dated 30.04.2025 and 27.01.2025 would come in force and the present petition shall be deemed to have been dismissed.

08.05.2025
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(**RAJESH BHARDWAJ**)
JUDGE

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