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

CRM-M-9289-2025

Date of decision : 18.02.2025

Ranjit Singh @ Tota

.....Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Anosh Samson, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

1. Prayer in the present petition is for quashing of order dated 08.10.2024 passed by learned JMIC, Batala whereby the petitioner was erroneously and wrongly declared as Proclaimed Person in FIR No.02 dated 05.01.2024, under Sections 454, 380, 411 of IPC, registered at Police Station Rangar Nangal.

2. It has been contended by counsel for the petitioner that petitioner was regularly appearing before the learned trial Court however, on 04.06.2024 due to noting down of wrong date, neither petitioner nor his counsel appeared before the trial Court. He further submits that petitioner was not having any knowledge about the dates of hearing in the abovesaid case and due to his non-appearance on 04.07.2024, learned trial Court issued non-bailable warrants against him. He submits that due to unavoidable family circumstances he was not having any knowledge about the next date of hearing and on 27.08.2024, bail order of the



petitioner was cancelled and bail/surety bonds were forfeited to the State and proclamation against him was issued for 08.10.2024 and ultimately, he was declared as proclaimed person vide order dated 08.10.2024. He submits that absence of the petitioner was neither intentional nor willful. He thus, submits that now petitioner is ready and willing to join the proceedings and abide by the terms and conditions of bail.

3. Notice of motion to official respondent only.
4. On asking of the Court, Mr. Tarun Aggarwal, Senior DAG, 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 declared the petitioner as proclaimed person who remained absent on 04.07.2024, 27.08.2024 and 08.10.2024 without any valid reason.
6. After hearing counsel for the petitioner and perusing the record, it is apparent that the petitioner remained absent from 04.07.2024 to 08.10.2024 and on 08.10.2024 he was declared as Proclaimed Person. The reason for non-appearance of the petitioner as given in the petition is noting down of wrong date by him. This Court without going into the merits of the reason given by the petitioner for his non-appearance deems it appropriate to allow him to join the proceedings as the petitioner is ready and willing to join the proceedings abide by the order of the Court. Now the petitioner is keen to join the proceedings. So keeping in view the abovesaid facts, the present petition is disposed of and the order dated 08.10.2024 declaring the petitioner as proclaimed person is *set aside* subject to payment of Rs.10,000/- as costs to be paid to Punjab and Haryana High Court, Employees Welfare Association within a period of



07 days from today. In case the petitioner appears before the trial Court and files appropriate application along with receipt of costs before the trial Court within a period of 10 days from today, the trial Court will admit him to bail subject to its satisfaction during the pendency of trial and proceed with the trial as per law. Petitioner 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 this order and the order under challenge would stand automatically revived and the present petition shall be deemed to have been dismissed.

Disposed of in above terms.

18.02.2025
m. sharma

(RAJESH BHARDWAJ)
JUDGE

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