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

**CRM-M-43080-2025 (O&M)**

**Date of Decision: 03-09-2025**

Simran Singh Bedi

.....Petitioner(s)

Versus

State of Punjab and another

.....Respondent(s)

**CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA**

Present: Mr. Saurav Bhatia, Advocate  
for the petitioner(s).

Ms. Pooja Nayar Sharma, DAG, Punjab.

Mr. Ferry Sofat, Advocate  
for the complainant.

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**ANOOP CHITKARA, J. (Oral)**

<b>FIR No.</b>	<b>Dated</b>	<b>Police Station</b>	<b>Sections</b>
1	5.1.2024	NRI, SAS Nagar, Mohali	420, 465, 467, 468, 471, 448, 120B IPC

**CRM-34682-2025:**

The application is allowed, as prayed. Rejoinder is taken on record.

**CRM-M-43080-2025:**

Seeking the quashing of proclamation order dated 21.2.2025 (Annexure P-16) passed by JMIC, SAS Nagar, Mohali in FIR captioned above, the accused has come up before this Court under Section 528 BNSS, 2023.

2. Petitioner was arraigned as an accused in the above-captioned matter. The police applied for issuance of arrest warrants of the petitioner when the investigator failed to nab him and trial Court issued non-bailable warrants followed by proclamation to secure the presence of petitioner under section 82 of CrPC and on his failure to appear, he was declared a proclaimed offender vide order dated 21-02-2025.

3. The point to which the petitioner wants to draw the attention of this Court is that the absence was not willful and was due to factors beyond the petitioner's control. Despite the fact that the police knew the actual residence of the petitioner, where he was staying in rented accommodation, proclamation order was not pasted outside that house. Petitioner's counsel also submits that a compromise (Annexure P-19) has also been

effected between the parties and accordingly, a petition seeking quashing of FIR in question shall be filed soon.

4. The State could not dispute the factual matrix at this stage.

5. The explanation offered by the petitioner is that the service was effected on the address where the petitioner was not residing and this fact was well in the knowledge of the police. Despite that they tried to serve him on the address where he was not residing which led to the issuance of proclamation.

6. However, this Court cannot lose sight of the fact that despite the execution of proclamation warrants against the petitioner on 07.01.2025, he failed to appear before the Court. This was notwithstanding the dismissal of his bail application by a coordinate Bench of this Court vide order dated 30.07.2024 passed in CRM-M-4803-2024, against which the petitioner had even approached the Hon'ble Supreme Court, which also dismissed the bail petition by passing the following order:-

- “1. Heard Mr. Shree Prakash Sinha, learned counsel appearing for the petitioner.*
- 2. The counsel refers to the FIR and also the civil proceedings to say that anticipatory bail should be considered for the petitioner.*
- 3. We have considered the reasoning given by the High Court in paragraph 6 of the impugned order to reject anticipatory bail. The petitioner is a property dealer and has similar criminal antecedents of cheating people of their valuable property. The victim in this case is an 81 year old residing in USA and his property at Mohali is the subject matter of the FIR.*
- 4. Here we are of the considered opinion that anticipatory bail is unmerited in the present matter. The Special Leave Petition is accordingly dismissed.*
- 5. Pending application(s), if any, shall stand closed.”*

7. The plea of the petitioner-accused regarding lack of knowledge of the issuance of proclamation warrants is contradicted by filing of the earlier bail petition, which shows that the petitioner was fully aware of the pendency of the FIR. Consequently, the petitioner has failed to make out a case. Accordingly, the present petition stands dismissed.

8. Counsel for the petitioner also submits that they have voluntarily deposited Rs.50,000/- in the PGI Poor Patients Welfare Fund, Chandigarh and handed over the receipt of the same, which is taken on record.

9. Although the petitioner has deposited Rs.50,000/- on the assurance that his proclamation order would be set aside, which has not been done, therefore, liberty is granted to the petitioner to approach the authority concerned of the PGI Poor Patients Welfare Fund, Chandigarh, by filing an appropriate application, in case he wants refund of Rs.50,000/-. In case any such application is filed by the petitioner on or before 30.09.2025, the appropriate authority of the PGI Poor Patients Welfare Fund, Chandigarh shall refund Rs.50,000/- by way of Demand Draft in favour of the petitioner. It is further

clarified that such application be filed on or before 30.09.2025, failing which this Court shall presume that the petitioner has voluntarily deposited Rs.50,000/- to the PGI Poor Patients Welfare Fund, Chandigarh and it was not subject to setting aside of the impugned order or proclamation.

**9. Petition dismissed with liberty aforesaid.** All pending application(s), if any shall stand disposed of.

03-09-2025  
AK

**(ANOOP CHITKARA)**  
**JUDGE**

NOTE: Whether speaking/non-speaking: Speaking  
Whether reportable: YES/NO