



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

(115)

**CRM-M-60925-2024 (O&M)
Date of Decision: 11.7.2025**

Sajanpreet Singh alias Sajan

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

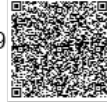
Present: Mr. Rahi Mehra, Advocate
for the petitioner.

Ms. Guramrit Kaur, DAG, Punjab.

KIRTI SINGH, J. (ORAL)

1. The present petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing the impugned order dated 08.11.2024 (Annexure P-4), passed by learned Judicial Magistrate Ist Class, Amritsar, vide which petitioner has been declared as proclaimed person in case bearing FIR No. 6 dated 2.2.2024, under Sections 406, 498-A, 323 of the Indian Penal Code, 1860 registered at Police Station Women, District Commissionerate Amritsar.

2. Learned counsel for the petitioner submits that earlier the petitioner had applied for the concession of anticipatory bail but vide order dated 8.5.2024 (Annexure P-2) passed by the learned Additional Sessions Judge, the same was dismissed being premature and it was recorded in the said order that consequent upon notice under Section 41(A) of Cr.P.C. being served upon the petitioner, he has joined investigation but he is not cooperating regarding recovery of the alleged istri dhan articles and if need



so arises his arrest shall be made only in accordance with due procedure of law. It is further submitted that subsequently, the petitioner continued to join investigation and has always cooperated with the investigating agency. The learned counsel submits that thereafter the petitioner never called for any further investigation and feeling something suspicious, he filed an application for grant of anticipatory bail, which was dismissed by the learned Sessions Judge concerned on 25.11.2024 (Annexure P-3) and the petitioner later came to know about the impugned order dated 8.11.2024 (Annexure P-4) passed by the learned Judicial Magistrate Ist Class, Amritsar declaring him a proclaimed person. Learned counsel submits that there was no *mala fide* intention on behalf of the petitioner to evade service or conceal himself, and that the petitioner is ready to appear before the trial Court and abide by all the terms and conditions as may be imposed upon him by the trial Court.

3. Heard.

4. The objective of the coercive mechanism prescribed under the Code of Criminal Procedure, 1973 is to ensure that the accused remains present before the Court to receive the orders and punishments as are passed qua the accused. If the petitioner/accused shows his sincere intention and desire to appear before the Court, then it would not be unjustified to protect him from being arrested.

5. In view of the above, the present petition is allowed. Order dated 8.11.2024 (Annexure P-4) along with proceedings emanating therefrom are hereby set aside subject to payment of cost of Rs. 20,000/- by the petitioner to be deposited with the Poor Patient Welfare Fund, PGIMER, Chandigarh within 10 days from today. The petitioner after depositing the cost as stated above would appear before the trial Court within 15 days and



file appropriate application for bail along with receipt of payment of cost. The trial Court would release the petitioner on bail on the same bail bonds and surety bonds. No coercive action would be taken against the petitioner till then. In case, the petitioner fails to comply with the aforesaid direction within stipulated period then this order would be of no avail to the petitioner.

6. Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

July 11, 2025
Gurpreet Singh

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