

134 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

2025:PHHC:048244



CRM-M-15723-2025 (O&M)

Date of Decision:08.04.2025

GURJINDER SINGH

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

**CORAM:- HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Amit Dhawan, Advocate for the petitioner.

**SANDEEP MOUDGIL, J. (Oral)**

**CRM-14834-2025**

The present application has been filed under Section 528 of The Bhartiya Nagarik Suraksha Sanhita 2023 (BNSS), for placing on record Annexures P-7 to P-10.

For the reasons mentioned in the application, CRM is allowed as prayed for.

Documents are taken on record as Annexures P-7 to P-10.

**CRM-M-15723-2025**

The jurisdiction of this Court has been invoked under Section 528 of The Bhartiya Nagarik Suraksha Sanhita 2023 (BNSS), praying for quashing of the impugned order dated 05.03.2024 (Annexure P-4) passed by SDJM, Nakodar whereby the petitioner has been declared as proclaimed offender in the case FIR No. 155 dated 08.12.2017 under Sections 145, 188, 283, 431, 341 IPC and under Section 8 B of National Highway Act, 1956 registered at Police Station Lohian, District Jalandhar (Rural).

Learned counsel for the petitioner submits the petitioner could not appear in Court on one date i.e 02.01.2024 on account of him being falsely implicated in FIR No.68 dated 04.12.2023 under Sections 302 and 34 IPC, registered at Police station Bholath, District Kapurthala and in lieu of the same he remained in hiding, subsequently he was found innocent in the abovesaid FIR and he is willing to appear before the trial Court. He further submits that the petitioner did not have any intention to avoid attendance in the Court proceedings otherwise he was appearing regularly on each and every date before the Court. He undertakes that the petitioner will surrender

before the trial Court and shall join the trial proceedings without any delay or default in future.

Notice of motion.

On the asking of the Court, Mr. Jaspal Singh Guru, AAG Punjab accepts notice on behalf of the respondent-State, who is not averse to the undertaking given by the petitioner that he will surrender before the trial Court.

Considering the submissions made by learned counsel for the petitioner and also in appreciation of the fact that it will only speed up the proceedings before the Trial Court which is one of the essence as enshrined under Article 21 of the Constitution of India, the petitioner is directed to surrender before the trial Court within a period of 07 days from today, and apply for regular bail.

In case, such an application for bail is moved by the petitioner before the learned trial Court, the same shall be considered on the same date and decided in accordance with law.

However, it is made clear that in case the petitioner does not abide by the aforesaid undertaking, the respondent/State shall be at liberty to move an appropriate application for revival of the instant petition.

The aforesaid order/concession to the petitioner shall be subject to payment of costs of Rs.10,000/- to be deposited with the Punjab and Haryana High Court Bar Clerk's Association and a receipt of the same be produced before the trial Court and only in that eventuality, application of the petitioner seeking bail may be considered and decided on the same day in accordance with law.

The amount so deposited by the petitioner shall not be construed as cost for this order but penalty for stalling the Court proceedings by evading from the trial for a long time.

The instant petition is disposed of in the aforesaid terms.

**08.04.2025**  
**kv**

**(SANDEEP MOUDGIL)**  
**JUDGE**

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