

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2025:PHHC:058349



(116)

CRM-M-23649-2025
Decided on : 03.05.2025

Akashdeep Singh @ Akash

.....Petitioner(s)

Versus

State of Punjab & another

.....Respondent(s)

CORAM : HON'BLE MR.JUSTICE SANDEEP MOUDGIL

Present: Mr.Satnam Singh Thakur, Advocate, for the petitioner.

Mr.Jastej Singh, Addl.A.G., Punjab.

SANDEEP MOUDGIL, J. (Oral)

Instant petition has been preferred under Section 528 BNSS, 2023, seeking setting aside of order dated 15.01.2025 (Annexure P-1) passed by Learned Addl.District & Sessions Judge, Jalandhar in SC No.1/2023 titled as *State of Punjab Vs. Jobanpreet Singh @ Joban*” declaring the petitioner as proclaimed person in FIR No.83 dated 03.07.2022, under Sections 399, 402 of IPC (later on Sections 400, 120-B, 379, 411 of IPC were added) and Sections 25, 27 of Arms Act, 1959 (later on Sections 29(b), 54, 59 of Arms Act, 1959 were added) registered at Police Station Lohian, District Jalandhar (Rural) (Annexure P-2).

Learned counsel for the petitioner contends that without adhering to the procedure as provided in law vide Section 82 of Cr.P.C., the proclamation under Section 82 of Cr.P.C. was made.

Notice of motion.

Mr.Jastej Singh, Addl.A.G., Punjab accepts notice on behalf of the respondents.

Learned State Counsel would contend that even thereafter, for execution of non-bailable warrants, the petitioner did not appear and proclamation was made which was also ignored by the petitioner who is intentionally and deliberately committing the offence of absconding from the process of law and also causing delay in the trial proceedings at his end.

Be that as it may, without going further into the controversy and merits of the case, the present petition is disposed of, in the light of the undertaking given before this Court by the petitioner that he will surrender within 10 days before the Trial Court, and he is directed to do so.

However, the aforesaid surrender before the Trial Court shall be subject to payment of Rs.15,000/- as costs to be deposited with the Punjab & Haryana Bar High Court Bar Association and a receipt of such deposit be produced at the time of surrender before the Trial Court. It is further directed that in case the present petitioner moves an application seeking bail, the same may be considered and adjudicated preferably on that very day, as per 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 himself from trial for a long time.

The petition stands disposed off in the aforesaid terms.

03.05.2025

Sailesh

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned :

Yes

Whether Reportable :

No