



126 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-29348-2025

Date of decision:28.05.2025

SURJIT SINGH

.....Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE H.S. GREWAL

Present: Mr. Sukhbir Maandi, Advocate
for the petitioner.

Mr. Kamalpreet Bawa, DAG, Punjab.

H.S. GREWAL J. (Oral)

1. The petitioner is seeking quashing of order of proclamation dated 26.09.2023 (Annexure P-5) passed by learned Sub Divisional Judicial Magistrate, Baba Bakala Sahib, District Amritsar arising out of complaint No.NACT-142/2019 instituted on 06.09.2019 titled as 'Faqir Singh Vs. Surjit Singh' under Section 138 of Negotiable Instruments Act, 1881 whereby the petitioner has been declared as a proclaimed offender.

2. Learned counsel for the petitioner contends that on 05.07.2023, the petitioner failed to appear, therefore, on 13.07.2023, due to non appearance of the petitioner, the trial Court cancelled the bail bonds as well as surety bonds of the petitioner and issued warrants of arrest against the petitioner for 28.07.2023. Thereafter, again on 28.07.2023 non bailable warrants were issued against the petitioner for 21.08.2023 then on 11.09.2023, the trial Court issued proclamation under Section 82 of Cr.P.C. However, he submits that he is willing and ready to join the proceedings and shall appear before the trial Court as and when required. Learned counsel for the petitioner, on instructions further



submits that the petitioner undertakes to appear before the trial Court concerned on each and every date and shall not seek any exemption for his personal appearance on any date of hearing before the trial Court. Hence, in the aforementioned facts and circumstances, the petitioner prays that directions be issued to the Trial Court concerned that his bail application, which he would be filing on his surrender, be decided.

3. Keeping in view the facts of the case, the service of respondent is dispensed with as it will delay the proceedings.

4. I have heard learned counsel for the petitioner and perused the material placed on record.

5. No ground to interfere in the impugned order dated 11.09.2023 is made out and the present petition is hereby **dismissed**.

6. However, the petitioner is directed to appear and surrender before the trial Court concerned within a period of 07 days from today and may file bail application before the concerned Court. In case, he does so and appears at 10.00 AM, the same be considered by the trial Court concerned on the very same date, in accordance with law.

28th May, 2025

Sonia Puri

Whether speaking/ reasoned

Whether reportable

: Yes / No

: Yes / No

(H.S. GREWAL)
JUDGE