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

CRM-M-26922-2026

Date of Decision: 13.05.2026

Nishan Singh

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Karanjeet Singh Brar, Advocate, for the petitioner.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for quashing of the impugned order dated 30.03.2026 (Annexure P-5) passed by learned ACJM, Ferozepur in a case FIR No.285 dated 20.11.2024, under Sections 109, 61(2), 115(2), 191(3), 190 of BNS, 2023 and Sections 25 & 27 of Arms Act, 1959 (Sections 333, 324 of BNS, 2023 added lateron vide Rapat No.24 dated 25.11.2024), registered at Police Station Sadar Ferozepur, District Ferozepur, vide which the petitioner has been declared proclaimed person.

2. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. It is submitted that it is a case of version and cross-version and the petitioner was nominated in the present case lateron vide GD No.24 dated 25.11.2024. He contends that the petitioner was not aware about his prosecution in the present case. When the petitioner came to know about the pendency of the present case against him, he approached the learned trial Court by way of filing anticipatory bail petition, however, the same was dismissed vide order dated 24.03.2026. During this period, proclamation has already been issued against him and he has been declared as proclaimed person vide order dated 30.03.2026. He



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contends that the impugned order dated 30.03.2026 has been passed in blatant violation of the mandatory provisions of Section 82 Cr.P.C. It is further submitted that the petitioner's absence was neither deliberate nor intentional, but occurred due to circumstances beyond his control. The petitioner is now willing to appear before the Court concerned and comply with any conditions imposed by the Court. Accordingly, it is prayed that the order dated 30.03.2026 declaring the petitioner a proclaimed person be set aside.

3. Notice of motion.

4. Mr.Ekompal Sagoo, AAG, Punjab, accepts notice on behalf of the State and controverts the submissions made on behalf of the petitioner and submits that the petitioner deliberately avoided the process of law and remained absconding despite issuance of warrants. It is contended that due procedure under Section 82 Cr.P.C. was duly followed and sufficient opportunities were afforded to the petitioner to appear before learned trial Court.

5. After hearing learned counsel for the parties and perusing the record, it is apparent that the petitioner was declared as a proclaimed person vide order dated 30.03.2026 due to his non-appearance. Without entering into the merits or examining the authenticity of the grounds urged for the petitioner's absence, this Court deems it appropriate to set aside the order dated 30.03.2026 declaring the petitioner as a proclaimed person. Accordingly, the said order is set aside, subject to the petitioner depositing a sum of Rs.30,000/- (Rupees Thirty Thousands only) as costs with **Indian Red Cross Society, UT Branch, Sector-11, Chandigarh** within seven days



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from the date of receipt of a copy of this order.

6. The petitioner is directed to appear before the trial Court within a period of ten days from the date of receipt of copy of this order and file an appropriate application alongwith receipt of costs of Rs.30,000/-. The petitioner will have protection from arrest till ten days from the date of receipt of copy of this order.

7. Needless to say that in case the petitioner fails to comply with the abovesaid direction, this order would be of no avail to him and the order dated 30.03.2026 will come in force and the present petition shall be deemed to have been dismissed.

8. Petition stands disposed of in abovesaid terms.

13.05.2026

sharmila

(RAJESH BHARDWAJ)
JUDGE

Whether Speaking/Reasoned
Whether Reportable

: Yes/No
: Yes/No