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

CRM-M-27317-2026

Date of decision : 14.05.2026

Khilu Ram @ Khelo Ram

.....Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Narsingh Chauhan, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

1. Prayer in the present petition is for quashing of impugned order dated 04.04.2002 passed by the Court of learned Sub Divisional Judicial Magistrate, Kharar, whereby the petitioner was declared a proclaimed offender in a case FIR No.184 dated 22.11.1997, registered under Sections 279 and 304-A of IPC, at Police Station Mohali, District Ropar.

2. It has been contended by learned counsel for the petitioner that the petitioner was released on bail in the year 1999 during the course of proceedings before learned trial Court. He submits that thereafter, the matter was compromised between the parties and the petitioner went to Gujarat for earning his livelihood as he was under impression that no further proceedings were pending against him. He further submits that thereafter without complying with the provisions of Section 82 Cr.P.C., petitioner was declared as a proclaimed person vide impugned order dated 04.04.2002. He submits that the petitioner was never served with any



ordinary service nor with any substituted service. He has submitted that due to lack of legal awareness the petitioner was not conversant with the legal procedures and non-appearance of the petitioner was not intentional. He submits that the petitioner is ready to join the proceedings and abide by the terms and conditions of bail, imposed by the Court.

3. Notice of motion.

4. On asking of the Court, Mr. Ekom Pal Sagoo, A.A.G., Punjab accepts notice on behalf of the respondent-State.

5. Learned State counsel has opposed the submissions made by learned counsel for the petitioner and stated that the trial Court has rightly declared the petitioner as proclaimed offender, who remained absent despite orders.

6. After hearing counsel for the parties and perusing the record, it is apparent that the petitioner remained absent despite orders as he was unaware about the ongoing proceedings because of the reason that he was residing in Gujarat. But now the petitioner is keen and ready to join the proceedings and face the trial. So keeping in view the abovesaid facts, the present petition is disposed of and the order dated 04.04.2002 is *set aside* subject to payment of Rs.25,000/- as costs to be deposited in the '**Punjab and Haryana High Court Dispensary Welfare Fund**' by the petitioner in one week from the date of receipt of copy of this order. In case, petitioner appears before the Court concerned within a period of 10 days from the date of receipt of copy of this order and files an application for bail alongwith receipt of abovesaid costs, the Court concerned is directed to admit him to bail subject to its satisfaction and proceed with the trial in accordance with law. He will have protection from arrest for a period of 10 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, he will have no benefit of abovesaid protection granted by this Court and order under challenge dated 04.04.2002, would automatically come in force.

14.05.2026

ps-I

(**RAJESH BHARDWAJ**)
JUDGE

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