

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No.31734 of 2022
Reserved on: 22.07.2022
Pronounced on: 02.08.2022

Pappu Ram and others
.....Petitioners
Vs.

State of Haryana
.....Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Karunesh Kaushal, Advocate for the petitioners.
Mr. Manish Bansal, D.A.G, Haryana.

ANOOP CHITKARA J.

FIR No.	Dated	Police Station	Section
186	15.06.2020	Sadar Sirsa, District Sirsa	147, 148, 149, 302, 323 IPC

Seeking quashing of proclamation order dated 31.03.2022 and 23.05.2022 (Annexure P-2 & P-3) in aforesaid FIR the witnesses to a crime have come up before this court under Section 482 of the Code of Criminal Procedure, 1973 (Cr.P.C.).

2. The witnesses could not be served through the ordinary process, including summons, bailable warrants, and even non-bailable warrants. The concerned court finally proceeded against the petitioners under section 82 of Cr.P.C. and declared the petitioners a proclaimed offender and after that the aforesaid FIR was registered on the directions of the Juvenile Justice Board.
3. This Court is refraining from adjudicating the legality and justification of such order because even based on the explanation offered by the petitioners; it appears that the Juvenile Justice board acted in haste. In paragraph 2, the petitioners explain that they work in brick kilns, and given the nature of the job, their workplace keeps changing. Such submissions have been made on affidavit, and there is no reason to mistrust the petitioners.
4. Given above, the impugned proclamation orders are quashed and set aside. Consequently, the non-bailable warrants issued against the petitioners in the FIR captioned

above, shall not be enforced. The petitioners are directed to appear before the concerned court within fifteen days.

Petition allowed in the terms mentioned above.

(ANOOP CHITKARA)
JUDGE

02.08.2022
Jyoti-II

Whether speaking/reasoned:	Yes
Whether reportable:	No.