



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

CRM-M-46499-2024

Date of decision: 18.09.2024

Ritu Kumari

...Petitioner

Versus

Union Territory Chandigarh

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. M.S. Virk, Advocate for the petitioner.

KARAMJIT SINGH, J. (ORAL)

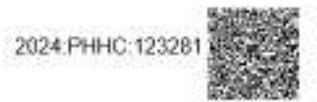
1. The present petition has been filed by the petitioner under Section 528 of BNSS 2023 praying for quashing of impugned order dated 02.08.2024 Annexure P-1 passed by the Court of Judicial Magistrate Ist Class, Chandigarh in complaint No.NACT-2521-2023 titled Anubhav Gupta Vs. Goviza Education Consultants Private Limited vide which the petitioner has been declared proclaimed person.

2. Notice of motion.

3. Mr. Viranjeet Singh, Addl. P.P. U.T. Chandigarh, accepts notice on behalf of the State.

4. I have heard the counsel for the parties.

5. It is apparent that before passing the impugned order Annexure P-1, the learned trial Court recorded the statement Annexure P-5 of serving constable who executed the proclamation against the present petitioner who is director of Goviza Educational Consultants Private Limited. From the perusal of Annexure P-5, it is evident that the contents of the proclamation



were not publicly read in some conspicuous place of the town/village in which the accused person ordinarily resides. Thus, in the present case, the proclamation of the petitioner was not executed as per the mandate of Section 82 (2) (i) (a) of Cr.P.C and is not sustainable being suffering from illegality.

6. In light of the above, the impugned order Annexure P-1 dated 02.08.2024 is hereby set aside.

7. The present petition is disposed of in aforesaid terms.

18.09.2024
Yogesh

(KARAMJIT SINGH)
JUDGE

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