

2025.PHHC.011978



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

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CRM-M-3720-2025 (O&M)

Date of decision: 27.01.2025

Sahil Madaan**...Petitioner****Versus****State of Punjab and another****...Respondents****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Ms. Pinki Mehla, Advocate
for the petitioner. (Through VC)

MANISHA BATRA, J. (Oral)

1. The instant petition has been filed by the petitioner under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of order dated 20.12.2022 as well as order dated 20.05.2024, passed by the Court of learned Judicial Magistrate First Class, Ambala in complaint bearing No. COMA-2030-2017, titled as **ICICI Bank vs. Sahil Madaan**, arising out of a complaint filed under Section 138 of the N. I. Act, whereby the petitioner had been declared a proclaimed person, as well as for quashing of FIR No. 21 dated 25.01.2023, registered against the petitioner under Section 174-A of IPC at Police Station Sector 9, Ambala in view of the fact that the aforesaid complaint stands dismissed as withdrawn, vide order dated 17.07.2024.

2. At the very outset, learned counsel for the petitioner has restricted his arguments only to the extent of quashing of order dated 20.05.2024, whereby the petitioner had been declared a proclaimed person.

3. Since the matter had been amicably settled between the petitioner and complainant-Bank and the aforesaid complaint, in the proceedings of

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which the petitioner had been declared a proclaimed person, stood dismissed as withdrawn, vide order dated 17.07.2024, the present petition is partly allowed and the impugned order dated 20.05.2024, declaring the petitioner as a proclaimed person is hereby set aside.

4. However, this relief shall be subject to payment of cost of Rs. 10,000/-, to be deposited by the petitioner with the District Legal Services Authority, Ambala.

5. So far as the challenge laid by the petitioner to order dated 20.12.2022 is concerned, the petitioner was declared as a proclaimed person by way of said order but subsequently, he had surrendered back on 27.01.2023 and had also been granted benefit of bail by the learned trial Court. Hence, the said order had lost its effect.

27.01.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No