



CRM-M-25024-2025

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

**CRM-M-25024-2025 (O&M)
Date of decision : 20.05.2025**

Savita @ Savita Kumari

...Petitioner

Versus

Abhi Agencies though its Proprietor

...Respondents

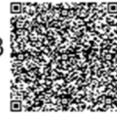
CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Ravi Singh and Mr. Zubin Chhura, Advocates
for the petitioner.

HARPREET KAUR JEEWAN, J. (Oral)

1. Petition under Section 528 of the BNSS, 2023 has been filed for quashing of impugned order dated 19.01.2023 (Annexure P-15), passed by learned Judicial Magistrate First, Class, Chandigarh, whereby, petitioner has been declared as a 'proclaimed person' and all consequential proceedings arising therefrom.

2. Learned counsel for the petitioner contends even as per order dated 14.11.2022, the petitioner never received any notice and as such, the proclamation was wrongly ordered to be issued against the petitioner. He further submits that without following proper procedure under Sections 82 of Cr.P.C. and without service of warrants, the petitioner has been declared as 'proclaimed person' by passing order dated 19.01.2023. It is further contended that it is a complaint case, therefore, custodial interrogation of the petitioner is not required. Hence, in the aforementioned facts and circumstances, the petitioner be protected till his appearance before the learned trial Court, and



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directions be given to the trial Court that his application of bail, which he would be filing on his surrender, be decided expeditiously.

3. In view of the limited prayer made on behalf of the petitioner, issuance of notice to the respondent is dispensed with.

4. In view of the above, the instant petition is disposed of with directions to the petitioner to appear and surrender before the trial Court within 10 days from today. Till then, no coercive steps be taken against the petitioner. Since, the petitioner has evaded the Court proceedings for a long time, in order to compensate the complainant, it is hereby ordered that this order shall be subject to payment of costs of Rs.10,000/- to be paid to the complainant-respondent, which shall be a condition precedent.

5. In case, on appearance and surrender within 10 days from today, the petitioner moves an application for bail/suspension of sentence, the trial Court shall make earnest efforts to decide it expeditiously, in accordance with law.

6. In case there is a failure on the part of the petitioner, this order shall remain automatically vacated and learned trial Court shall be at liberty to proceed as per law.

7. Liberty is also reserved in favour of the complainant-respondent to move for cancellation/recalling of the order in case the petitioner has misrepresented the facts or upon showing any other sufficient cause.



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8. Pending miscellaneous application(s), if any, shall also stand disposed of.

20.05.2025

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[HARPREET KAUR JEEWAN]
JUDGE

Whether speaking / reasoned :	Yes	No
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Whether Reportable :	Yes	No
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