

2025:PHHC:113711



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

324

CRM-M-33739-2024 (O&M)
Date of decision: 21.08.2025

Sandeep**...Petitioner****Versus****State of Haryana****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Sunil Chaudhary, Advocate
for the petitioner.

Ms. Himani Arora, DAG, Haryana.

MANISHA BATRA, J. (Oral)

1. The instant petition has been filed by the petitioner under Section 482 of Cr.P.C. for quashing of order dated 07.06.2024 (Annexure P-1), passed by the Court of learned Judicial Magistrate First Class, Bhiwani in case titled as ***State of Haryana vs. Sandeep***, arising out of FIR No. 179 dated 05.06.2015, registered under Sections 457 and 380 of IPC at Police Station Civil Lines Bhiwani, District Bhiwani, whereby the petitioner had been declared a proclaimed person.

2. After hearing learned counsel for the parties at length and going through the material placed on record, it is found that the proclamation was not publicly read over in some conspicuous place of the town or village in which the petitioner was supposed to be residing. As per Section 82 (2) of Cr.P.C. for publication, the proclamation has to be first publicly read in some conspicuous place of the town or village in which the accused ordinarily resides; then the same has to be affixed to some conspicuous part of the house or homestead in which the accused ordinarily resides or to some conspicuous

2025:PHHC:113711



place of such town or village and thereafter a copy of the proclamation has to be affixed to some conspicuous part of the Court-house. The three sub-clauses (a)-(c) in Section 82 (2)(i) of the Cr.P.C. are conjunctive and not disjunctive, which means that there would be no valid publication of the proclamation unless all the three modes of publication are proved. Reliance in this regard can be placed upon ***Pawan Kumar Gupta Vs. The State of W.B. : 1973 CriLJ 1368.***

3. Accordingly, in view of the discussion as made above and also in view of the ratio of law as laid down in above cited authorities, the present petition is allowed and the impugned order dated 07.06.2024 (Annexure P-1), passed by the Court of learned Judicial Magistrate First Class, Bhiwani in case titled as ***State of Haryana vs. Sandeep***, arising out of FIR No. 179 dated 05.06.2015, registered under Sections 457 and 380 of IPC at Police Station Civil Lines Bhiwani, District Bhiwani, whereby the petitioner had been declared a proclaimed person, is quashed with all consequential proceedings arising therefrom.

4. Keeping in view the fact that the petitioner is ready to join the Court proceedings which would obviously help in speedy conclusion of trial, he is directed to surrender before the learned trial Court within a period of 04 weeks from today and on doing so, the learned trial Court shall release him on bail, subject to his furnishing fresh personal/surety bonds to its satisfaction.

5. Till the appearance of the petitioner before the learned trial Court, his arrest shall remain stayed.

2025:PHHC:113711



6. It is made clear that in case the petitioner fails to appear before the learned trial Court within the stipulated time, this petition shall be deemed to be dismissed.

7. However, this relief shall be subject to payment of cost of Rs. 10,000/-, to be deposited by the petitioner with the Punjab and Haryana High Court Employees’ Welfare Association, Chandigarh.

21.08.2025
Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No