



CRM-M-32088-2025

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

CRM-M-32088-2025**Date of decision:01.07.2025****BHUVNESH GULATI**

.....Petitioner

Versus

STATE OF HARYANA AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE H.S. GREWAL

Present: Mr. Divyam Singh, Advocate and
Ms. Tanmay Kadian, Advocate for the petitioner.

H.S. GREWAL J. (Oral)

1. The present petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 seeking quashing of order of proclamation dated 31.05.2025 (Annexure P-10) passed by learned Judicial Magistrate Ist Class, Karnal arising out of complaint No.NACT-2764-2023 titled as 'Karamjeet Singh Vs. Bhuvnesh Gulati' under Section 138 of Negotiable Instruments Act, 1881 whereby the petitioner has been declared as a proclaimed person.

2. Learned counsel for the petitioner contends that without there being proper service or compliance with the mandatory requirements of Section 82 Cr.P.C, vide order dated 31.05.2025 passed by the trial Court, the petitioner has been declared as a proclaimed person under Section 84(1) of BNSS. He further contends that the notices issued to the petitioner were not received back either served or unserved, however, on one occasion, the bailable warrants were received back executed through the petitioner's nephew only, not being a valid form of service. However, he submits that the petitioner is ready and willing to join the proceedings and shall appear before the trial Court as and when



required. Learned counsel for the petitioner, on instructions further submits that the petitioner undertakes to appear before the trial Court concerned on each and every date and shall not seek any exemption for his personal appearance on any date of hearing before the trial Court. Hence, in the aforementioned facts and circumstances, the petitioner prays that directions be issued to the Trial Court concerned that his bail application, which he would be filing on his surrender, be decided.

3. Notice of motion.

4. Mr. Parveen Kumar Aggarwal, Addl. A.G., Haryana, accepts notice on behalf of the respondent-State.

5. I have heard learned counsel for the parties and perused the material placed on record.

6. In view of the limited prayer made by the petitioner, this Court deems it appropriate to decide the petition, without issuing notice to respondent No.2. Keeping in view the facts and circumstances of the case and the prayer made by the counsel for the petitioner, this Court does not find any legitimate ground to interfere with the impugned order dated 31.05.2025 passed by learned Judicial Magistrate Ist Class, Karnal. Consequently, the present petition is **disposed of** with a direction to the petitioner to appear and surrender before the trial Court concerned within a period of 05 days from today at 10.00 A.M. and file an application for bail before the trial Court and on his doing so, the trial Court is directed to consider and decide the said application on the same day, in accordance with law.

01st July, 2025

(H.S. GREWAL)
JUDGE

Sonia Puri

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