



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

136

CRM-M-38697-2025
Date of decision: 22.07.2025

Deepak Malik

...Petitioner

Versus

State of Haryana and another

...Respondents

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

Present : Mr. G.S. Minhas, Advocate for the petitioner.

H. S. GREWAL, J.(ORAL)

1. This petition has been filed under Section 528 of BNSS, 2023 (erstwhile Section 482 Cr.P.C.) for quashing of order dated 15.01.2025 (Annexure P-28), whereby the petitioner has been declared as proclaimed person as well as quashing of FIR No.0122 dated 12.06.2025 under Section 209 of BNS, 2023 (erstwhile Section 174-A IPC, 1860), registered at Police Station Arya Nagar, Rohtak which has been registered by Court due to non-appearance of the petitioner in Criminal Complaint under Section 138 of Negotiable Instruments Act, 1881.

2. Learned counsel for the petitioner contended that the present FIR is the outcome of a criminal complaint filed against the petitioner under Section 138 of the Negotiable Instruments Act. He submits that the petitioner was never summoned under Section 138 of the NI Act and only notice was issued in the application for condonation of delay and thereafter, learned trial Court declared him as a proclaimed person, vide order dated 15.01.2025. Hence, the impugned order declaring the petitioner as a



proclaimed person deserves to be set aside. He further submits that the petitioner is willing to join the proceedings.

3. Notice of motion to respondent No.1 only, at this stage.

4. On the asking of the Court, Mr. Aditya Pal Singla, AAG, Haryana accepts notice on behalf of the respondent-State.

5. I have heard learned counsel for the parties and gone through the case file.

6. In view of the limited prayer made by the petitioner, this Court deems it appropriate to decide this case, without issuing notice to respondent No.2. Keeping in view the facts and circumstances of the case and limited prayer made by the counsel for the petitioner, this Court does not find any legitimate ground to interfere in the impugned order dated 15.01.2025 (Annexure P-28), as passed by the learned Judicial Magistrate Ist Class, Rohtak. However, in case the petitioner surrenders before the learned trial Court within 07 days from today and move an application for grant of regular bail, the trial Court shall consider and decide the same, on the same day, if he appears at 10:00 A.M., in the Court.

7. Petition stands disposed of.

(H. S. GREWAL)
JUDGE

22.07.2025
Hemant

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