



138

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-38494-2025****Date of Decision: 22.07.2025**

Randhir Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ**Present:** Mr. Prabhjot Singh Mann, Advocate
for the petitioner(s).

Mr. Tanuj Sharma, AAG, Haryana.

RAJESH BHARDWAJ, J. (ORAL)

1. Prayer in the present petition is for quashing of impugned order dated 01.04.2025 (Annexure P-1) passed by the Court of learned Chief Judicial Magistrate, Fatehabad whereby the petitioner has been declared as proclaimed person in case bearing FIR No.172 dated 25.03.2023 under Sections 406/420/467/468/471/120-B of IPC, registered at Police Station City Fatehabad, District Fatehabad (Annexure P-5).

2. It has been contended by counsel for the petitioner that the petitioner has been prosecuted in the above mentioned FIR. He has further submitted that the petitioner was granted the interim bail by this Court on 18.01.2024 (Annexure P-6) and he was directed to join the investigation, however the petitioner duly joined the investigation. He has submitted that the petitioner was not aware about the impugned order. He has submitted that non-bailable warrants of arrest were issued against the petitioner. He has submitted that proclamation proceedings under Section 82 Cr.P.C./Section 84 of BNSS were initiated against the petitioner and thus, vide order dated 01.04.2025, the

petitioner was declared as proclaimed person. He has further submitted that the petitioner has been illegally declared a proclaimed person without due compliance of mandatory provision and due to service of notice and solely on the basis of a false and procured service report. He submits that the matter has been compromised vide (Annexure P-2 and P-3) and petitioner has filed a petition bearing CRM-M-33829-2025 seeking quashing of the FIR on the basis of compromise, which is pending adjudication for 24.09.2025. He has submitted that the petitioner was not aware about the impugned order dated 01.04.2025. He has submitted that the petitioner is keen to join the proceedings. He has thus submitted that the petitioner be granted protection for appearing before the learned trial Court.

3. Notice of motion.

4. On asking of the Court, Mr. Tanuj Sharma, AAG, Haryana appears and accepts notice on behalf of the respondent-State. He has opposed the submissions made by learned counsel for the petitioner and has stated that the trial Court has rightly declared the petitioner as proclaimed person, who remained absent from the Court without any valid reason.

5. After hearing counsel for the parties and perusing the record, it is apparent that the petitioner was prosecuted in FIR No.172 dated 25.03.2023 under Sections 406/420/467/468/471/120-B of IPC, registered at Police Station City Fatehabad, District Fatehabad. The petitioner was granted the interim protection by this Court, however he was not aware about the proclamation proceedings and thus, due to absence of the petitioner, he was declared as proclaimed person. The matter has already been compromised and petitioner has filed a quashing petition. Without commenting anything about the authenticity of the ground of absence taken by the petitioner, this Court

proceed to decide the matter as now the petitioner is ready and keen to join the proceedings. So, keeping in view the abovesaid facts, the present petition is disposed of and the impugned order dated 01.04.2025 (Annexure P-1) declaring the petitioner as proclaimed person is set aside subject to payment of Rs.25,000/- as costs to be paid to the Day Care Centre for Elderly Disabled Home for Old & Destitute People, Sector 15, Chandigarh. The petitioner is directed to appear before the trial Court within a period of 10 days from today and files appropriate application along with receipt of deposit of above-said costs then the trial Court will admit him to bail subject to its satisfaction during the pendency of trial and proceed with the trial as per law. Petitioner will have protection from arrest for a period of 10 days from today.

6. Needless to say that in case the petitioner fails to comply with the abovesaid direction within the stipulated period, he have no benefit of this order and the order dated 01.04.2025 (Annexure P-1) would stand automatically revived and the present petition shall be deemed to have been dismissed.

7. Disposed of in above terms.

22.07.2025

Parveen kumar

(RAJESH BHARDWAJ)
JUDGE

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