



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

**CRM-M No.39337 of 2025 (O&M)
Date of decision: 24.07.2025**

Rakesh Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

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

Present: Mr. Abhay Bhardwaj, Advocate and
Ms. Neha Rani, Advocate
for the petitioner.

Mr. Parveen Kumar Aggarwal, Addl. A.G., Haryana.

H.S. GREWAL J. (Oral)

Main case

1. The petitioner has filed the instant petition under Section 528 of BNSS, 2023 seeking setting aside of order dated 17.03.2025 (Annexure P-3) in FIR No.376 dated 01.05.2018 (Annexure P-1) under Sections 21, 61 and 85 of NDPS Act, 1985 registered at Police Station Sirsa City, Sirsa, Haryana whereby the petitioner has been declared as a proclaimed person and a complaint under Section 174 IPC as per Section 195 Cr.P.C. has been ordered to be registered against the petitioner.

2. Learned counsel for the petitioner contends that the petitioner is working as a mason and undertakes work wherever suitable employment opportunities arise. Due to new work, the petitioner had to relocate from Sirsa and temporarily shift his place of residence. During this period, the petitioner lost his mobile phone containing contact details of his counsel and was unable to contact



him. Consequently, he lost track of Court proceedings. Therefore, due to non appearance on 14.01.2025, the trial Court had issued arrest warrants against him and thereafter, on 11.02.2025 proclamation proceedings under Section 82 of Cr.P.C. were issued qua him. Furthermore, vide order dated 17.03.2025 the petitioner was declared as a proclaimed person. Learned counsel for the petitioner, on instructions further submits that the petitioner undertakes to appear before the trial Court on each and every date and shall not seek any exemption from 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 that his bail application, which he would be filing on his surrender, be decided expeditiously.

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 petitioner and perused the material placed on record.

6. Keeping in view the facts and circumstances of the present case, No legitimate ground to interfere in the impugned order dated 17.03.2025 passed by trial Court is made out and the present petition is hereby, **dismissed**.

7. However, in case the petitioner surrenders before the trial Court within 07 days from today and moves an application for grant of regular bail, on his doing so, the trial Court shall consider and decide the same within next 03 days, thereafter, in accordance with law.

24th July, 2025

Sonia Puri

(H.S. GREWAL)
JUDGE

<i>Whether speaking/ reasoned</i>	:	<i>Yes / No</i>
<i>Whether reportable</i>	:	<i>Yes / No</i>

