

2025:PHHC:161721



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

256

CRM-M-54944-2023
Date of Decision: 19.11.2025

ANSAR

... Petitioner

VERSUS

STATE OF HARYANA

... Respondent

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

Present: Mr. Azad Khan, Advocate
for the petitioner.

Mr. Vijay Kumar, AAG, Haryana.

H.S. GREWAL, J. (ORAL)

This petition has been filed under Section 482 Cr.P.C. for quashing of order dated 18.11.2008 (Annexure P-5) passed by the learned Judicial Magistrate Ist Class, Panipat, whereby the petitioner has been declared proclaimed offender in a case titled as State Vs. Aneshwar arising out FIR No.102 dated 08.04.2008 under Sections 341, 395 and 397 IPC registered as Police Station Smalkha, District Panipat.

2. Learned counsel for the petitioner contends that the name of his father as well as address were not mentioned correctly in the summons and hence, he was never served upon with any notice during the entire proceedings. Therefore, the order dated 18.11.2008 declaring him as proclaimed offender is illegal. He further contends that the petitioner may be permitted to surrender before the learned trial Court to attend the trial proceedings regularly and, therefore, requests that the impugned order may be set aside.

3. Learned State Counsel, on the other hand, submits that the petitioner has remained absconded for a considerable period of time, approximately for 17 years and hence, it cannot be presumed that the petitioner was not in the knowledge of the criminal proceedings running against him. Hence, the learned State Counsel prays for dismissal of the present petition.

4. I have heard the submissions made by the learned counsel for the petitioner and have gone through the case file.

5. In view of the prayer made by the learned counsel for the petitioner, this Court does not find any legitimate ground to interfere with the impugned order dated 18.11.2008 (Annexure P-5). However, in case the petitioner surrenders before the trial Court at 10.00 AM on any day within next 07 days from today and moves an application for grant of regular bail, the trial Court shall consider and decide the same within the three days of filing of the bail application.

6. Petition stands disposed of.

NOVEMBER 19, 2025.

Rajender

**(H.S. GREWAL)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No