

2025:PHHC:156675



CRM-M-56522-2024 (O & M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(119) CRM-M-56522-2024 (O & M)
Date of decision: 12.11.2025

Mahesh Patidar

... Petitioner

V/s

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Lupil Gupta, Advocate,
with Mr. Sanjeet Sood, Advocate,
for the petitioner.

Mr. Harkanwar Jeet Singh, AAG, Punjab.

JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition under Section 528 of BNSS, 2023 is for quashing of the impugned order dated 16.10.2024 (Annexure P-2) passed by the SDJM, Jagraon, whereby the petitioner has been declared a proclaimed offender in case FIR No.28, dated 24.02.2024 under Sections 15 and 25 of the Narcotic Drugs and Psychotropic Substance Act, 1985 registered at Police Station Sadar Jagraon, District Ludhiana Rural.

2. On 10.02.2025, the following order was passed:-

By way of present petition filed under Section 528 of the Bhartiya Nagarik Suraksha Sanhita 2023 (BNSS), the petitioner seeks quashing of the impugned order dated 16.10.2024 (Annexure P-2), passed by the learned Sub Divisional Judicial Magistrate, Jagraon, in case CRM-221-2024, 'State vs. Aslam Noor and another', whereby the petitioner had been declared as proclaimed



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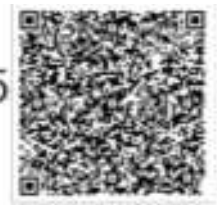
person in case FIR (Annexure P-1). Details of the FIR are mentioned below: -

FIR No.	Dated	Sections	Police Station
28	24.02.2024	15 and 25 of the NDPS Act	Sadar Jagraon, District Ludhiana

2. Heard.
3. It is, inter alia, contended by learned counsel for the petitioner that the petitioner was not named in the FIR but has been nominated later on during the course of investigation, however, the petitioner was neither served with any notice or summons in the case but has been wrongly declared as proclaimed person vide impugned order (supra). He contends that the petitioner is not having any criminal antecedents nor he has received any proclamation, as has been mentioned in the impugned order (supra). He contends that as per the record the proclamation has been issued for 13.09.2024 which was not served upon the petitioner and there was no proclamation ever issued by learned Trial Court for 16.10.2024 when he was declared proclaimed person. He contends that the impugned order has been passed in utter violation to the provisions contained under Section 82 Cr. PC. Hence, the instant petition.
4. Notice of motion, returnable for 27.02.2025.
5. On the asking of the Court, Mr. Ankit Grewal, DAG, Punjab, who is present in Court, accepts notice and does not dispute the factual matrix of the case. He seeks time to file the status report/reply in the matter.
6. In the meanwhile, operation of the impugned order dated 16.10.2024 (supra) declaring the petitioner as proclaimed person in case FIR (Annexure P-1) shall remain stayed till the next date of hearing.

3. Despite passing of the aforementioned order, the petitioner has not sought the concession of bail or joined the proceedings in any manner.

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Obviously, the intent was to obtain an interim order staying the impugned order dated 16.10.2024 (Annexure P-2) and then abscond from justice.

4. In view of the above, I find no merit in the present petition and the same stands dismissed.

5. The interim order dated 10.02.2025 stands vacated.

November 12, 2025
sukhpreet

(JASJIT SINGH BEDI)
JUDGE

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