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

CRM-M-60153-2025

Date of decision : 17.11.2025

Pawan Kumar**....Petitioner****versus****State of Haryana****....Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr. Dheeraj Narula, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

1. Prayer in the present petition has been made for quashing of impugned order dated 30.04.2025 (Annexure P-13) passed by learned Additional Sessions Judge/FTSC/Sirsa in case NDPS-434-2022, vide which the petitioner was declared a proclaimed person and order dated 05.07.2024 (Annexure P-6), whereby learned trial Court cancelled the bail of the petitioner and warrants of arrest were issued along with all subsequent proceedings arisen out thereto.

2. It has been submitted by learned counsel for the petitioner that the petitioner has been falsely prosecuted in the present FIR. He submits that due to some unavoidable circumstances, the petitioner remained absent on 05.07.2024 and thus, his bail was cancelled, bonds were forfeited to the State and warrants of arrest were issued against him. He submits that without complying with the provisions of Section 82 Cr.P.C., petitioner was declared as a proclaimed person vide impugned order dated 30.04.2025. He further submits that the petitioner was never served with any ordinary service nor with any substituted service at his



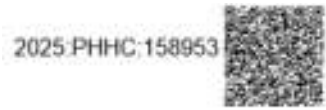
address. He has further submitted that there is nothing on record to show that the petitioner ever refused to accept the notice of the Court or remained away from the Court intentionally. He has submitted that the petitioner is ready to join the proceedings and abide by the terms and conditions of bail, if any imposed by this Court.

3. Notice of motion to official respondent only.

4. On asking of the Court, Mr. Sumit Jain, Addl. A.G., Haryana accepts notice on behalf of the respondent-State.

5. Learned State counsel 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 despite orders.

6. After hearing counsel for the petitioner and perusing the record, it is apparent that the petitioner remained absent despite orders due to his non-appearance, he was declared as proclaimed person. But now the petitioner is keen and ready to join the proceedings and face the trial, so without going into the contentions raised by learned counsel for the petitioner that provisions of Section 82 Cr.P.C. have not been followed, this Court dispose of the present petition and the impugned orders dated 05.07.2024 and 30.04.2025 are hereby *set aside* along with all subsequent proceedings subject to payment of Rs.10,000/- as costs to be paid to the **‘Punjab and Haryana High Court Employees’ Welfare Association, Chandigarh’** by the petitioner within one week from today. In case, the petitioner appears and surrenders before the Court concerned within a period of 10 days from the date of receipt of copy of this order and files an application for bail alongwith receipt of abovesaid costs, the Court concerned is directed to admit him to bail subject to its satisfaction and



proceed with the trial in accordance with law. He will have protection from arrest for a period of 10 days from the date of receipt of copy of this order.

7. Needless to say that in case the petitioner fails to comply with the abovesaid direction, he will have no benefit of abovesaid protection granted by this Court and orders under challenge dated 05.07.2024 and 30.04.2025, would come in force and the present petition shall be deemed to have been dismissed.

17.11.2025
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(RAJESH BHARDWAJ)
JUDGE

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