



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

141

CRM-M-72585-2025 (O&M)
Date of decision: 23.12.2025

Siddharth Malik

....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Parminder Singh, Advocate for the petitioner

AMAN CHAUDHARY, J. (ORAL)

1 The present petition has been filed under Section 528 BNSS for quashing of FIR No.666 dated 18.10.2025, registered under Section 209 BNS (174-A IPC) at Police Station Civil Lines, District Karnal.

2. Learned counsel contends that the petitioner has been declared proclaimed person vide order dated 08.07.2025 and he surrendered before the trial Court and was granted bail on 30.10.2025, whereafter the former was quashed by this Court vide order dated 04.12.2025, Annexure P-8. Now, he is regularly appearing before the trial Court in the proceedings that had been initiated under the NI Act. However, proceedings under Section 174-A IPC are still going on. Thus, the submission made is that continuation of the present proceedings would amount to abuse of process of Court. In support of his case, reliance is placed on **Rahul Dureja and another vs. State of Punjab 2022 (1) R.C.R. (Criminal) 248**.

3. Learned State counsel submits that the FIR under Section 174-A



IPC was rightly registered as the petitioner was declared proclaimed person by the trial Court for having absented.

4. Heard.

5. This Court in **Rahul Dureja** (supra) while following the dictum laid down in **Ashok Madan vs. State of Haryana and another** 2020(4) RCR (Criminal) 87, had set aside the FIR registered under Section 174-A of IPC as illegal, since the petitioners therein had joined the proceedings in the complaint case under Section 138 NI Act and had even been granted the benefit of bail.

6. The petitioner, prior to any benefit being extended to him, voluntarily surrendered before the Court and thereafter duly joined the proceedings. Consequently, the order declaring him a proclaimed person came to be quashed. These circumstances can be factored to conclude that the very purpose of initiation of proclamation proceedings, that was to compel and secure his presence to face the trial and establish the rule of law, so as to ensure finalization of the proceedings, stood nonetheless achieved.

7. In view of the foregoing, the present petition is allowed and FIR No.666 dated 18.10.2025, registered under Section 209 BNS (174-A IPC) at Police Station Civil Lines, District Karnal is hereby quashed.

(AMAN CHAUDHARY)
JUDGE

23.12.2025
M.Kamra

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