

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

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2026.PHHC.081013



CRM-M-7318-2024 (O&M)
Date of decision: 22.05.2026

Hadil ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. D. S. Matya, Advocate
for the applicant-petitioner.

Ms. Himani Arora, DAG, Haryana.

MANISHA BATRA, J. (Oral)

1. CRM-23092-2026

Allowed as prayed for.

Documents are taken on record.

2. CRM-23093-2026

Allowed as prayed for, subject to all just exceptions.

3. CRM-M-7318-2024 (O&M)

The instant petition has been filed by the petitioner for quashing of order dated 28.04.2017 (Annexure P-1), passed by the Court of learned Judicial Magistrate First Class, Karnal in Complaint No. 2745 dated 01.10.2016, titled as *District Primary Co-Op Agri & Rural Development Bank Ltd. v. Hadil*, whereby the petitioner had been declared a proclaimed person and also for quashing of FIR No. 649 dated 24.04.2023, registered

under Section 174-A of IPC at Police Station Karnal Civil Lines, District Karnal along with all the subsequent proceedings having arisen therefrom.

4. At the very outset, learned counsel for the petitioner has restricted his prayer only to the extent of quashing the impugned order, whereby he had been declared a proclaimed person.

5. After hearing learned counsel for the parties and going through the record as well as the statement of the serving police official, it is revealed that the proclamation was not publicly read over in some conspicuous place of the town or village in which the petitioner was supposed to be residing. As per Section 82 (2) of Cr.P.C. for publication, the proclamation has to be first publicly read in some conspicuous place of the town or village in which the accused ordinarily resides; then the same has to be affixed to some conspicuous part of the house or homestead in which the accused ordinarily resides or to some conspicuous place of such town or village and thereafter a copy of the proclamation has to be affixed to some conspicuous part of the Court-house. The three sub-clauses (a)-(c) in Section 82 (2)(i) of the Cr.P.C. are conjunctive and not disjunctive, which means that there would be no valid publication of the proclamation unless all the three modes of publication are proved. Reliance in this regard can be placed upon ***Pawan Kumar Gupta Vs. The State of W.B. : 1973 CriLJ 1368.***

6. Accordingly, in view of the above, the present petition is partly allowed and the impugned order dated 28.04.2017 (Annexure P-1), passed by the Court of learned Judicial Magistrate First Class, Karnal in Complaint No. 2745 dated 01.10.2016, titled as ***District Primary Co-Op Agri & Rural Development Bank Ltd. v. Hadil***, whereby the petitioner had been declared a

proclaimed person, is quashed with all consequential proceedings arising therefrom.

7. Liberty is granted to the petitioner to file a fresh petition for quashing of the aforementioned FIR, if so advised.

22.05.2026
Waseem R. Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No