

2026:PHHC:017616



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

276

CRM-M-11368-2024

Date of Decision:-05.02.2026

**YUVRAJ**

**.....PETITIONER**

**VS.**

**STATE OF PUNJAB**

**.....RESPONDENT**

**CORAM:-HON'BLE MR. JUSTICE JASJIT SINGH BEDI**

Present: Mr. Davinder Singh Khurana, Advocate  
for the petitioner.

Mr. Athar Ahmed, DAG, Punjab.

Mr. Jasdev Singh Mehndiratta, Senior Advocate  
(Amicus Curiae) with  
Ms. Jyotnoor Kaur Sethi, Advocate and  
Ms. Tanveen Kaur, Advocate.

**(THROUGH VIDEO CONFERENCING)**

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**JASJIT SINGH BEDI, J.(ORAL)**

1. The prayer in the present petition under Section 482 Cr.P.C. is for quashing of the proclamation order dated 21.07.2023 (Annexure P-3) in case No.CHI-188-2023 titled 'State versus Jacob Poly', vide which the petitioner has been declared a proclaimed person in FIR No.36 dated 17.05.2021 under Section 188 IPC, Police Station Sadiq, District Faridkot.

2. The learned counsel for the petitioner contends that an FIR No.36 dated 17.05.2021 under Section 188 IPC, Police Station Sadiq, District Faridkot was registered for violation of certain COVID norms. The petitioner did not appear during the course of proceedings as he was a juvenile and his date of birth is 08.02.2006 making him approximately 15

years and 03 months of age. On account of this fact, he was declared a proclaimed person vide order dated 21.07.2023 (Annexure P-3). He contends that, in terms of the provisions of the Juvenile Justice Act, a juvenile in conflict with law cannot be declared a proclaimed person. Reliance has been placed on the judgment of this Court in “**Sadhu Singh Versus State of Punjab and others**”, 2022 (4) R.C.R. (Criminal) 473. He, therefore, prays that the present petition be allowed and the impugned order dated 21.07.2023 (Annexure P-3) be quashed.

3. The learned Senior Counsel appearing as the amicus curiae, has very ably assisted this Court and contends that, in terms of the judgment rendered in *Sadhu Singh* (supra), as there can be no publication with respect to a juvenile, the question of declaring such juvenile a proclaimed person does not arise. Therefore, the impugned order is liable to be quashed.

4. The learned State counsel has vehemently opposed this petition but has not disputed the legal position emanating out of the judgment in *Sadhu Singh* (supra).

5. I have heard learned counsel for the parties.

6. In *Sadhu Singh* (supra), a Co-ordinate Bench of this Court held as under:-

*“14. A conjoint reading of the aforesaid provisions clearly shows that there can be no joint proceedings of a 'juvenile in conflict with law' along with a person not a juvenile. An order could only have been passed by the Juvenile Justice Board so constituted in terms of Chapter II of Juvenile Justice*

*(Care and Protection) Act, 2000 and the procedure as contemplated therein is required to be followed. Apparently, the said procedure has not been adopted while passing the order declaring the petitioner as 'proclaimed person'. Hence, the said order even otherwise becomes without jurisdiction.*

*15. Hence, considering it from either of the perspective, the order passed under Section 82(1) Cr.P.C was not only in violation of the statutory procedure prescribed under the Code of Criminal Procedure, 1973 but also without authority inasmuch as the juvenility of the petitioner is not a subject matter of dispute.”*

7. Apparently, the date of birth of the petitioner is 08.02.2006, making him approximately 15 years and 03 months at the time of the registration of the FIR. Therefore, he could not possibly have been declared a proclaimed person in terms of the impugned order dated 21.07.2023 (Annexure P-3).

8. In view of the above, the present petition is allowed and the impugned order dated 21.07.2023 (Annexure P-3) vide which the petitioner was declared a proclaimed person is quashed.

9. All the pending miscellaneous applications, if any, stand disposed of.

05.02.2026  
Kusum

(JASJIT SINGH BEDI)  
JUDGE

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |