

CRM-M-19538-2026
Date of decision: 28.04.2026

...PETITIONER

STATE OF HARYANA

...RESPONDENT

Present: Mr. Rishav Jain, Advocate and
Mr. Kanish Jindal, Advocate
for the petitioner.

Mr. Satbir Singh Goripuria, DAG, Haryana.

SUBHAS MEHLA, J. (ORAL)

1. This petition has been filed under Section 528 Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 for quashing of orders dated 26.07.2023 and 07.11.2024 (Annexure P-1 & P-4 respectively) passed by learned Additional Sessions Judge, Faridabad, vide which, the bail of the petitioner was cancelled and his arrest warrants were issued and subsequently on 07.11.2024, the petitioner was declared as proclaimed person in case bearing SC No.142 of 2018 titled as '*State of Haryana vs. Sonu and others*' arising from FIR No.854 dated 03.11.2017 registered under Sections 148, 149, 307, 387, 440, 506 of Indian Penal Code, 1860 and Sections 25 and 54 of Arms Act, 1959 at Police Station Mujessar, District Faridabad.

2. Learned counsel for the petitioner submitted that due to unavoidable circumstances, the petitioner could not appear before the trial Court; proclamation was issued against the petitioner without following the due procedure prescribed under Section 82 of Cr.P.C. and non-compliance of the mandatory provisions vitiates the entire proceedings, which suffers from



incurable illegality as he was never served and the impugned orders are liable to be set aside. Learned counsel further submitted that the petitioner is ready to surrender before the trial Court and prayed that till then, he may not be arrested by the police.

3. Learned State counsel submitted that the petitioner is a habitual offender and is involved in other cases also; petitioner did not put in appearance before the trial Court intentionally, due to which, impugned orders were passed. Learned State counsel further submitted that for the last more than two years, the petitioner did not turn up and if such persons are granted relief, it will make a mockery of process of law.

4. Heard.

5. This Court has considered the contentions of learned counsel for the parties and perused the impugned orders of learned trial Court and found that the learned trial Court has not committed any error or irregularity while passing the impugned orders; the petitioner is a habitual offender as he is involved in other cases also; the petitioner was aware about the case pending against him and did not put in appearance before the trial Court intentionally, due to which, he was declared proclaimed person. Now, after a period of 02 years, the petitioner has approached this Court for quashing of impugned orders, hence, this Court finds merit in the contentions of learned State counsel and the petitioner does not deserve any relief.

6. In view of the above, this Court finds no merit in the present petition and the same stands dismissed.

April 28, 2026
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(SUBHAS MEHLA)
JUDGE

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No