



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-19607-2026
Date of Decision: 16.04.2026

Shiv Kumar Panchal ... Petitioner(s)

Versus

State of Haryana ...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Vibhor Bansal, Advocate
for the petitioner(s).

Mr. T.P. Singh, Sr. DAG, Haryana.

JASJIT SINGH BEDI, J. (Oral)

1. The prayer in the present petition under Section 528 of BNSS, 2023 (Section 482 of Cr.P.C.) is for quashing of order dated 09.04.2024 (Annexure P-6) whereby the petitioner was declared as proclaimed person by the Court of Ld. Sub Divisional Judicial Magistrate, Gohana in case bearing FIR No.313 dated 14.07.2021 under Sections 406, 420 of IPC (Sections 316(2), 318(4) of BNS, 2023) (Section 24 of Emigration Act has been added later on), PS City Gohana, District Sonapat.
2. The counsel for the petitioner at the very outset submits that he wishes to withdraw the present petition enabling the filing of a fresh petition with better particulars. On being asked, he is unable to explain as to what are the better particluars. On being told that the petitioner is required to come back and face trial even if the impugned order is stayed/quashed, he states that the petitioner is unable to do so as his Green-card is under process.
3. I find from the record that the petitioner had initially filed a petition seeking quashing of the FIR which was withdrawn way-back on

September 13, 2022 on account of the fact that it had been filed without the petitioner having ever joined proceedings. Pursuant thereto, the petitioner was declared a proclaimed offender. The instant petition has now been filed after 04 years of the filing of the first petition. On being asked, as to whether the petitioner was ready and willing to come back and face trial, the counsel for the petitioner has stated on instructions from the petitioner that he is unable to do so.

4. Apparently, the filing of the present petition is nothing but an abuse of the process of the Court inasmuch as even if this Court was to stay/quash the impugned order, the petitioner would still not come back and join proceedings.

5. In view of the above discussion, I find no merit in the present petition and the same stands dismissed.

(JASJIT SINGH BEDI)
JUDGE

April 16, 2026

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Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No