



154

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-22379-2026 (O&M)****Date of decision : 19.01.2025****Vikram Singh****.....Petitioner****versus****State of Haryana****.....Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr. Gaurav Arora, Advocate
for the petitioner.

Mr. Sumit Jain, Addl. A.G., Haryana.

RAJESH BHARDWAJ, J. (Oral)**CRM-50198-2025**

Instant application has been filed seeking preponment of date of hearing in the main case from 11.02.2026 to some early date of hearing.

In view of the reasons mentioned in the application, same is allowed and the main case is taken up on Board today itself.

Main case

1. Prayer in the present petition has been made for quashing of impugned order dated 01.04.2024 (Annexure P-7) passed by learned Additional Sessions Judge, Kaithal in case FIR No.30 dated 16.02.2021 under Sections 20(b)(11) of NDPS Act registered at Police Station Titram, District Kaithal, vide which the present petition was declared a proclaimed person in case No.NDPS/38/2021 and all other consequential proceedings arising therefrom. Further prayer has been made for staying the further proceedings before ld. trial Court.

2. It has been submitted by learned counsel for the petitioner that the petitioner was regularly appearing on each and every date,



however, on 12.12.2023, due to some medical difficulty he could not appear and ld. trial Court had cancelled his bail; bail bonds and surety bonds were forfeited to State and non-bailable warrants were issued against him and the same remained unexecuted as the petitioner was not residing at the given address and proclamation proceeding were initiated against the petitioner. He submits that without complying with the provisions as envisaged under Section 82 Cr.P.C. proclamation proceedings were initiated against the petitioner and ultimately, he was declared as a proclaimed person vide impugned order dated 01.04.2024 (Annexure P-7). He further submits that petitioner was neither served with any ordinary service nor with any substituted service. He submits that the absence of the petitioner was not intentional and he is ready to join the proceedings and abide by the terms and conditions of bail, if any imposed by this Court.

3. Learned State counsel has opposed the submissions made by learned counsel for the petitioner and has stated that the trial Court has rightly initiated proclamation proceedings under Section 82 Cr.P.C. and declared him as proclaimed person who remained absent despite order.

4. After hearing counsel for the petitioner and perusing the record, it is apparent that the petitioner remained absent despite orders, as he was not residing at the given address, thereafter, proclamation proceedings under Section 82 Cr.P.C. were initiated against him and ultimately, he was declared as proclaimed person. But now the petitioner is keen and ready to join the proceedings and face the trial, so without going into the contentions raised by learned counsel for the petitioner that provisions of Section 82 Cr.P.C. have not been followed, this Court dispose of the present petition and the impugned order dated 01.04.2024 is



set aside subject to payment of Rs.10,000/- as costs to be paid to the **‘Punjab and Haryana High Court Bar Association’** by the petitioner within one week from the receipt of copy of this order. In case, the petitioner appears and surrenders before the Court concerned within a period of 10 days from the date of receipt of copy of this order and files an application for bail alongwith receipt of abovesaid costs, the Court concerned is directed to admit him to bail subject to its satisfaction and proceed with the trial in accordance with law. He will have protection from arrest for a period of 10 days from the receipt of copy of this order.

5. Needless to say that in case the petitioner fails to comply with the abovesaid direction, he will have no benefit of abovesaid protection granted by this Court and order under challenge dated 01.04.2024 ould come in force and the present petition shall be deemed to have been dismissed.

19.01.2026
ps-I

(**RAJESH BHARDWAJ**)
JUDGE

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