



**146 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-19388-2026

Date of decision : 09.04.2026

Saurabh Pandey

.....Petitioner

versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

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

RAJESH BHARDWAJ, J. (Oral)

1. Prayer in the present petition is for quashing of impugned order dated 14.01.2015 passed by learned Judicial Magistrate Ist Class, Narnaul in Criminal Complaint bearing No.35 RT of 2011, under Sections 406, 420, 467, 468 and 506 of IPC (corresponding Sections 316, 318, 338, 336 and 351(2) of BNS, 2023) titled as Rajender Kumar Vs. Saurabh Pandey vide which the petitioner has been wrongly and illegally declared a proclaimed person. Further prayer has been made for quashing of FIR No.409 dated 23.10.2023, under Section 174-A of IPC (corresponding Section 209 BNS, 2023), registered at Police Station Narnaul, District Mahendergarh.

2. It has been submitted by learned counsel for the petitioner that the petitioner was prosecuted in the complaint under Sections 406, 420, 467, 468, 506 of IPC, which on inquiry, found to be false and baseless and the petitioner was exonerated in the police inquiry. He has submitted that after exoneration of the petitioner, respondent No.2 continued to pursue criminal proceedings against the petitioner and filed a complaint under Section 156(3) Cr.P.C. on 10.12.2010 before the learned



Additional Chief Judicial Magistrate, Narnaul seeking direction for registration of the FIR and hence, vide order dated 11.12.2010, FIR No.282 dated 24.12.2010 was registered against the petitioner. He has submitted that during the course of investigation, the said FIR was also found to be false and unsupported and cancellation report was prepared in the case on 30.07.2011. He has submitted that thereafter, respondent No.2 filed a protest petition bearing No.35RT of 2011 on 30.11.2011 before the learned trial Court, in which, the trial Court issued summons against the petitioner vide order dated 20.09.2013. He has submitted that the summons were never served upon the petitioner as the same were sent at an incomplete address. He has submitted that the petitioner had no knowledge regarding the pendency of any protest petition for three years as during the period i.e. from 01.07.2013 to 30.03.2016, he was in Dubai and in the meantime, vide order dated 14.01.2015, FIR No.409 dated 23.10.2023, under Section 174-A of IPC was registered and he was declared as proclaimed person. He has further submitted that now petitioner undertakes to appear before the learned trial Court and abide by the terms and conditions of bail.

3. Notice of motion.

4. On asking of the Court, Ms. Diya Sodhi, Senior DAG, Haryana accepts notice on behalf of the State.

5. Learned State counsel on the other hand contends that the petitioner was rightly declared as a proclaimed person who remained absent on several dates without any valid reason.

6. I have heard counsel for the parties and perused the record. It is apparent that due to non-appearance of the petitioner, he was declared



as a proclaimed person vide order dated 14.01.2015. As submitted by learned counsel for the petitioner, during the period i.e. 01.07.2013 to 30.03.2016, the petitioner was in Dubai. Now, the petitioner is keen to join the proceedings. So keeping in view the abovesaid facts, the present petition is disposed of and the order dated 14.01.2015 vide which FIR No.409 dated 23.10.2023, under Section 174-A of IPC was registered and petitioner was declared as proclaimed person, is *set aside* subject to payment of Rs.50,000/- as costs to be paid by the petitioner to the **Spinal Rehab Centre, Sector-28-A, Chandigarh** within a period of 07 days from the date of receipt of certified copy of this order. In case, the petitioner appears before the trial Court and files appropriate application along with receipt of costs, before the trial Court, within a period of 10 days from the date of receipt of certified copy of this order, the trial Court will admit him to bail, subject to its satisfaction, during the pendency of trial and proceed with the trial as per law. Petitioner will have protection from arrest for a period of 10 days from the date of receipt of certified copy of this order.

7. Needless to say that in case the petitioner fails to comply with the abovesaid direction, he will have no benefit of this order and the orders under challenge would stand automatically revived and the present petition shall be deemed to have been dismissed.

8. Disposed of in above terms.

(**RAJESH BHARDWAJ**)
JUDGE

09.04.2026
m. sharma

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