

**103****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-20560-2026
DECIDED ON: 29.04.2026****DEEPAK KAPOOR****.....PETITIONER****VERSUS****STATE OF HARYANA AND ANOTHER****.....RESPONDENTS****CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH.**

Present: Mr. Himanshu Setia, Advocate,
for the petitioner.

SANJAY VASHISTH, J (ORAL)

1. Present petition has been filed by the petitioner, seeking grant of anticipatory bail in FIR No.107 dated 19.03.2026 (Annexure P-1) registered under section 209 of BNS, 2023 (earlier section 174-A IPC), at Police Station Kotwali, District Faridabad, wherein petitioner has been declared as a proclaimed person.

2. Learned counsel for the petitioner places reliance upon the order dated 08.01.2026 passed by the Court of learned JMIC, Faridabad, whereby the petitioner was declared a proclaimed person on account of his absence from the Court in the main case i.e., FIR No. 91 dated 22.02.2019, registered at Police Station Kotwali, Faridabad, and submits that, consequent to such declaration and simultaneous direction for registration of an FIR, impugned FIR No.107 dated 19.03.2026 came to be registered against the petitioner, and it is in respect of the said FIR that petitioner is now seeking anticipatory bail.

3. Learned counsel for the petitioner further submits that the order dated 08.01.2026 declaring the petitioner a proclaimed person has now, in fact, lost its operative significance, as petitioner has appeared before the same Court and was penalized with costs of Rs.1,000/-, which has already been deposited.

It is further pointed out that, upon appearance and with no objection from the complainant, petitioner was released on bail, vide order dated 23.03.2026 by the Court of learned JMIC, Faridabad. It is, thus, contended that no useful purpose would be served by taking the petitioner into custody in the subsequently registered FIR under Section 209 of BNS.

4. Notice of motion.

5. On advance notice, Mr. Parveen Kumar Aggarwal, learned Additional Advocate General, Haryana, appears on behalf of the respondent/State, and submits that once the petitioner had been declared a proclaimed person on 08.01.2026, the said order cannot be treated as having become inoperative merely on the grant of regular bail, particularly when, prior thereto, the order had already been executed by registration of the impugned FIR.

6. This Court has heard learned counsel for the parties and perused the record available before it.

7. *Prima facie*, this Court finds merit in the submissions advanced on behalf of the petitioner, and is of the view that the impugned FIR appears to have been registered for a technical offence, primarily to penalize the petitioner for his default in not appearing before the Court,

and thereby causing delay in the proceedings. Once the petitioner appeared before the Court and thereupon, was released on bail, the very purpose of securing his presence already stands achieved.

8. So far as the validity of the impugned FIR is concerned, petitioner would be at liberty to take recourse to appropriate remedies, in accordance with law. However, for the purpose of adjudicating the present petition, existence of the said FIR cannot be construed as a bar to the grant of the relief sought herein.

9. Hence, present petition is allowed, and in the eventuality of arrest, petitioner would be released on anticipatory bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).

10. With the directions recorded here above, present petition stands disposed of.

29.04.2026

Lavisha

(SANJAY VASHISTH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>