



**In the High Court for the States of Punjab and Haryana
at Chandigarh**

120

CRM-M-44543-2024 (O&M)
Date of Decision:- 16.04.2026

Jitender Kumar ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present:- Mr. R.S. Mamli, Advocate for the petitioner.

Mr. Karan Veer Singh, Sr. DAG, Haryana.

SUBHAS MEHLA, J. (Oral)

1. Present petition has been filed by the petitioner under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, for quashing of FIR No.140 dated 02.09.2024 registered under Section 209 of BNS, at Police Stateion Naggal, District Ambala (Annexure P-14) and to quash the subsequent proceedings including the notice dated 04.09.2024 (Annexure P-16) as the petitioner has already surrendered and granted regular bail.

2. Learned counsel for the petitioner has placed on record a copy of order dated 15.10.2024 passed by the Coordinate Bench of this Court in CRM-M-49414-2024, whereby the proclamation proceedings initiated against the present petitioner in FIR No. 74 dated 23.08.2021, registered under Sections 323, 325, 149, 120-B, 307 of IPC and Section 25 of the Arms Act, at Police Station Naggal, District Ambala, have been set aside.



CRM-M-44543-2024 (O&M) (2)

3. Heard.
4. It is evident that the present FIR No.140 dated 02.09.2024 under Section 209 of BNS has been registered on the basis of the proclamation proceedings initiated in FIR No.74 dated 23.08.2021. However, the said proclamation proceedings have already been set aside by this Court vide order dated 15.10.2024 passed in CRM-M-49414-2024. The said order has attained finality, as the State has not chosen to challenge the same.
5. In view of the above, the very basis for registration of the present FIR ceases to exist. Accordingly, this Court finds merit in the present petition.
6. Consequently, FIR No. 140 dated 02.09.2024 registered under Section 209 of BNS at Police Station Naggal, District Ambala (Annexure P-14), along with all subsequent proceedings arising therefrom, including notice dated 04.09.2024 (Annexure P-16), are hereby quashed, subject to cost of Rs.15,000/- to be deposited with Indian Red Cross Society having account No.3578152035, Central Bank of India, Sector 17-B, Chandigarh, IFSC CBIN0280412.
7. Receipt regarding deposit of aforesaid cost be produced before Court concerned. It is made clear that if cost is not deposited within one month i.e. upto 16.05.2026, present petition shall be deemed to be dismissed.

16.04.2026
Geeta

(SUBHAS MEHLA)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No