



CRM-M-54114-2024

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

269-1

CRM-M-54114-2024
Date of decision: 17.04.2026

ALOK KUMAR @ ALOK SUBHASH RUSTAGI

....Petitioner

Versus

STATE OF HARYANA AND OTHERS

....Respondents

CORAM:- HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present:- Mr. Arvind Kr. Sharma, Advocate for the petitioner.

Mr. Armaan Dahiya, AAG, Haryana.

RUPINDERJIT CHAHAL, J. (ORAL)

1. The instant petition under Section 482 Cr.P.C. has been filed for quashing of the order dated 28.08.2019 (Annexure P-1) issued against the petitioner as well as order dated 02.11.2019 (Annexure P-2) and further quashing of all other subsequent proceedings thretero qua the petitioner initiated under Section 174-A IPC, 1860, vide FIR No. 0868, dated 21.12.2019 registered at Police Station Model Town, District Rewari, Haryana.

2. Learned counsel for the petitioner submits that the Coordinate Bench of this Court vide order dated 25.11.2024, had directed the petitioner to appear before the trial Court within 02 weeks and in the meantime the impugned order was kept in abeyance. At this juncture, learned counsel for the petitioner submits that pursuant to the directions of the Coordinate Bench of this Court, the petitioner surrendered before the trial Court and has been acquitted vide order dated 18.09.2025. Hence, he restricts his prayer only qua quashing of the order declaring the petitioner proclaimed person



(Annexure P-2) and FIR No. 0868, dated 21.12.2019 under Section 174A IPC (Annexure P-18) on the ground that the petitioner has been acquitted in the main case and as such, continuation of the proceedings declaring the petitioner as a proclaimed person and proceedings under Section 174-A IPC would serve no purpose and would amount to abuse of the process of law. It is, therefore, prayed that in view of the above the order declaring the petitioner proclaimed person (Annexure P-2) and FIR No. 0868, dated 21.12.2019 under Section 174A IPC (Annexure P-18) be quashed.

3. Learned State counsel supports the impugned order, contending that the petitioner deliberately avoided appearance, leaving the trial Court with no option but to issue proclamation to secure his presence.

4. I have heard learned counsel for the parties and perused the record.

5. The object behind issuance of non-bailable warrants or proclamation is only to secure the presence of the accused and in the present case, the petitioner has already been acquitted by the learned trial Court.

6. In the present case, since the petitioner has already been acquitted by the learned trial Court and all related proceedings have been closed, the order declaring the petitioner as a proclaimed person cannot continue to stand and the order loses its basis. Consequently, the continuation of the proceedings under FIR No. 0868, dated 21.12.2019 registered under Section 174A IPC (Annexure P-18) will be bad in law.

7. In view of the foregoing discussion and without delving into the merits of the case, the petition is allowed. The order declaring the petitioner

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proclaimed person (Annexure P-2) and FIR No. 0868, dated 21.12.2019 under
Section 174A IPC (Annexure P-18), are quashed.

17.04.2026
Mohit Bishnoi

(RUPINDERJIT CHAHAL)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |