

2026:PHHC:031999



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

171

CRM-M-64059-2025 (O&M)

Date of decision: 25.02.2026

KAMAL KISHORE

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Ankur Kaushik, Advocate, for the petitioner.

Mr. BS Saroha, DAG, Haryana.

AMAN CHAUDHARY, J. (Oral)

CRM-6899-2026

For the reasons mentioned in the application, the same is allowed.

Annexures A-1 to A-5 are taken on record, subject to all just exceptions.

CRM-M-64059-2025

1. Prayer made in the present petition filed under Section 528 BNSS/ 482 CrPC is for quashing FIR No.151 dated 02.03.2020, registered under Section 174-A IPC, at Police Station Ballabgarh City, Faridabad and all the consequential proceedings arising therefrom.

2. Learned counsel submits that the petitioner was summoned in a complaint under Section 138 of the Negotiable Instruments Act, wherein due to his absence, he was declared proclaimed person vide order dated 15.01.2016 and above-noted FIR was directed to be registered against him, wherein he was granted anticipatory bail by the trial Court. However, during the pendency of the latter FIR, he came to be convicted by the trial Court vide order dated 28.10.2024. Thus, the submission made is that continuation of the present

proceedings would amount to abuse of process of law.

3. Learned State counsel submits that the FIR was rightly registered as the petitioner was declared proclaimed person by the trial Court for having absented, however, the factum of the conviction of the petitioner, remained uncontroverted.

4. Heard.

5. Pertinently, the petitioner having joined the proceedings subsequent to his being declared proclaimed person, whereafter he having duly participated in the proceedings under NI Act, though stood convicted and granted the concession of anticipatory bail in the impugned FIR, can be factored to conclude that the very purpose of initiation of proclamation proceedings, that was to compel and secure his presence to face the trial and establish the rule of law, so as to ensure finalization of the proceedings, stood nonetheless achieved.

6. Accordingly, the present petition is allowed. The impugned FIR No.151 dated 02.03.2020, registered under Section 174-A IPC, at Police Station Ballabgarh City, Faridabad is hereby quashed.

(AMAN CHAUDHARY)
JUDGE

25.02.2026

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