



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

CRM-M-70911-2025

Date of decision : 14.01.2026

Karam Singh

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Vivek Goyal, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

1. Prayer in the present petition is for quashing of order dated 29.04.2024 (Annexure P-1) passed by learned Judicial Magistrate Ist Class, Kurukshetra whereby the petitioner was unlawfully declared as proclaimed person in case FIR No.291 dated 05.06.2020 under Sections 323, 341, 506 and 34 of IPC, registered at Police Station Thanesar Sadar, District Kurukshetra without complying statutory provisions as envisaged under Section 82 Cr.P.C and 105 Cr.P.C.

2. It has been submitted by learned counsel for the petitioner that the challan in the present case has been filed without any information to the petitioner. He submits that during the course of investigation the petitioner was granted police bail and at the time of release, no conditions or restrictions were communicated to the petitioner. He submits that thereafter, the petitioner went to UK in the year 2020 for employment and since then he is abroad, which fact had been brought to the notice of the Court through process server's report. He submits that despite the knowledge of the fact that the petitioner was not in India, proclamation proceedings were initiated under Section 82 Cr.P.C. against the petitioner



and ultimately, he was declared as a proclaimed person vide impugned order dated 29.04.2024 (Annexure P-1). He further submits that petitioner was neither served with any ordinary service nor with any substituted service. He submits that the absence of the petitioner was not intentional and he is ready to join the proceedings and abide by the terms and conditions of bail, if any imposed by this Court.

3. Notice of motion to official respondent only.

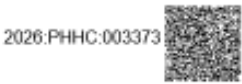
4. On asking of the Court, Mr. Sumit Jain, Addl. A.G., Haryana accepts notice on behalf of the respondent-State.

5. Mr. Prateek Singh, Advocate has put in appearance and filed Vakalatnama on behalf of the complainant, in the Court today and same is taken on record.

6. Learned State counsel as well as counsel for the complainant have opposed the submissions made by learned counsel for the petitioner and has stated that the trial Court has rightly initiated proclamation proceedings under Section 82 Cr.P.C. and declared him as proclaimed person, who remained absent despite orders.

7. After hearing counsel for the petitioner and perusing the record, it is apparent that the petitioner remained absent despite orders, as he was abroad, thereafter, proclamation proceedings under Section 82 Cr.P.C. were initiated against him and ultimately, he was declared as proclaimed person. But now the petitioner is keen and ready to join the proceedings and face the trial, so without going into the contentions raised by learned counsel for the petitioner that provisions of Section 82 Cr.P.C. have not been followed, this Court dispose of the present petition and the impugned order dated 29.04.2024 is *set aside* subject to payment of

Rs.25,000/- as costs to be paid to the **‘Punjab and Haryana High Court**



Bar Association’ by the petitioner within one week from the receipt of copy of this order. In case, the petitioner appears and surrenders before the Court concerned within a period of 10 days from the date of receipt of copy of this order and files an application for bail alongwith receipt of abovesaid costs, the Court concerned is directed to admit him to bail subject to its satisfaction and proceed with the trial in accordance with law. He will have protection from arrest for a period of 10 days from the receipt of copy of this order.

8. Needless to say that in case the petitioner fails to comply with the abovesaid direction, he will have no benefit of abovesaid protection granted by this Court and order under challenge dated 29.04.2024 would come in force and the present petition shall be deemed to have been dismissed.

14.01.2026
ps-I

(**RAJESH BHARDWAJ**)
JUDGE

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