



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

252

**CRM-M-1848-2025 (O&M)
Date of Decision:- 21.02.2025**

LILA KRISHAN JANGRA AND ANR

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Yogesh Bansal, Advocate for the petitioners.

Mr. Vipul Sherwal, AAG Haryana.

SANJIV BERRY, J. (ORAL)

By way of present petition preferred under Section 482 Cr.P.C. the petitioners have sought quashing of impugned order dated 08.03.2021 (Annexure P-1) passed by the Court of learned Additional Chief Judicial Magistrate, Fatehabad, whereby the petitioners were declared as proclaimed offenders in case FIR No.358 dated 08.09.2018 registered under Sections 420, 406, 120-B, 34 IPC (Sections 467, 468, 471 IPC added later on), Sections 4, 5, 6 of The Prize Chits and Money Circulation Schemes (Banning) Act, 1978 and Section 3(2) of Haryana Protection of Interest of Depositors in Financial Establishment Act, 2013 at Police Station Sadar, District Fatehabad.

2. Learned counsel for the petitioners has submitted that in compliance to the order dated 16.01.2025 passed by this Court, the



petitioners have appeared in the Court and furnished their requisite bail bonds. He has placed on record copy of the order dated 10.02.2025, passed by learned Additional Sessions Judge, Fatehabad whereby the petitioners have been admitted on interim bail by the learned trial Court.

3. Learned State counsel has not disputed the aforesaid factum.
4. Heard.
5. During the course of proceedings on 16.01.2025, the following order was passed.

“3. It is, inter alia, contended by learned counsel for the petitioners that the petitioners, after having been arrayed as the accused in case FIR (supra), had joined the investigation, however, the police had moved an application dated 08.03.2021 (Annexure P-6) for cancellation of the proclamation against the petitioners and the other co-accused, being not required, however, vide impugned order dated 08.03.2021 (supra), the said application was dismissed without any reasonable cause by the learned Trial Court. He contends that although the petitioners never received any summons nor any proclamation to appear in the Court on 08.03.2021 but the learned Trial Court proceeded to declare the petitioners as the proclaimed offenders without there being any proclamation, being so issued, requiring the petitioners to appear in the learned Trial Court on 08.03.2021. He contends that the aforesaid impugned order had been passed without following the procedure laid down under Section 82 of the Cr.PC.

4. Learned counsel for the petitioners has further referred to the order dated 23.07.2024 passed in CRM-M-61447-2023, ‘Mohar Singh and others vs. State of Haryana’, pertaining to the other co-accused. He contends that the petitioners are ready to appear before the learned Trial Court and face the trial and also to pay the appropriate cost.

5. Notice of motion, returnable for 03.02.2025.

6. On the asking of the Court, Mr. Praveen Bhadu AAG, Haryana, who is present in Court, accepts notice and does not dispute the fact that instant case is identical to the facts of CRM-M-61447-2023 (supra).



7. Keeping in view the above facts and circumstances, the petitioners are directed to appear before the learned Trial Court/Judge on duty/Duty Magistrate within a period of 10 days from today and in that event, learned Trial Court/Judge on duty/Duty Magistrate will admit the petitioners on interim bail subject to its satisfaction on their furnishing requisite bail/surety bonds

8. This order, however, will be subject to the petitioners depositing a cost of Rs. 25,000/- each with the Poor Patients Welfare Fund of the PGIMER, Chandigarh, and Rs. 25,000/- each in the Society for Care of Blind, Sector 26, Chandigarh, State Bank of India, Sector 7, Chandigarh (blind_institute_chd@yahoo.com) Bank Account No. 10506615304, IFSC Code SBIN0003246.

9. The petitioners shall also furnish a specific undertaking before the learned Trial Court/Judge on duty that, in future, they would be regularly appearing before the concerned Court on each and every date and in case of some exigency, they will seek prior permission of the concerned Court qua their exemption to appear on the date fixed.”

6. Keeping in view the fact that the petitioners have already appeared in the Court and furnished their requisite bail/surety bonds consequent to the order dated 16.01.2025, passed by this Court, the present petition is allowed. The dated 08.03.2021 (Annexure P-1) passed by learned Additional Chief Judicial Magistrate, Fatehabad is set aside and the interim bail granted vide order dated 16.01.2025 is hereby confirmed.

7. The petition stands allowed.

8. Pending applications, if any, shall also stand disposed of.

(SANJIV BERRY)
JUDGE

21.02.2025

S.Sharma(syr)

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