



CRM-M-29575-2025

1

In the High Court of Punjab and Haryana at Chandigarh

137

CRM-M-29575-2025

Date of Decision: 27.05.2025

HIMANSHU WADHWA

.....PETITIONER

VERSUS

STATE OF UT CHANDIGARH AND ANOTHER

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE H.S.GREWAL

Present: Mr. Gursimran Singh Madaan, Advocate for the petitioner.

H.S. GREWAL, J. (ORAL)

1. This petition has been filed under Section 528 of BNS challenging order dated 07.02.2025 (Annexure P-9) passed in complaint titled as "Rajesh Mittal Vs. Mughal Gourmet & Another" bearing CIS No. NACT/3999 of 2023 instituted on 13.06.2023 pending in the Court of learned Judicial Magistrate 1st Class, Chandigarh whereby petitioner has been declared proclaimed person.
2. Learned counsel for the petitioner submits that the petitioner was declared as proclaimed person vide order dated 07.02.2025 due to his non-appearance. As such non-bailable warrants of arrest against the petitioner have been issued. He submits that there has been non-compliance of the provisions of Section 82 of Cr.P.C. and hence, the impugned order dated 07.02.2025 declaring the petitioner a proclaimed person deserves to be set aside. The petitioner is willing to join the proceedings before the Court.
3. Notice of motion.

**CRM-M-29575-2025****2**

4. On the asking of the Court, Virat Rana, Addl.P.P., U.T., Chandigarh accepts notice on behalf of the respondent-State.

5. I have heard learned counsel for the parties and gone through the case file.

6. In view of the limited prayer made by the learned counsel for the petitioner, this Court deems it appropriate to decide this case without issuing notice to respondent No.2. Keeping in view the facts and circumstances of the case and limited prayer made by the counsel for the petitioner, this Court does not find any legitimate ground to interfere in the impugned order dated 07.02.2025 passed by the learned JMIC, Chandigarh. However, in case the petitioner surrenders before the Court below within 07 days from today and appears at 10:00 A.M, his application for grant of regular bail shall be considered and disposed of by the Court below on the same very day.

7. The petition stands disposed of.

27.05.2025*renu***(H.S.GREWAL)
JUDGE**

Whether speaking/ reasoned :

Yes/No

Whether Reportable :**Yes/No**