



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

**CRM-M-7257-2026 (O&M)
DECIDED ON: 21.04.2026**

**GOPALBHAI CHHAGANBHAI MATIYA ALIAS MATIYA
GOPALBHAI CHHAGANBHAI**

.....PETITIONER

VERSUS

STATE OF HARYANA AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present: Mr. Satish Sharma, Advocate
for the petitioner.

MANDEEP PANNU, J (ORAL)

CRM-14392-2026

1. This is an application for placing on record the copy of the statement of serving constable as Annexure A-1 and further be pleased to allow the applicant from filing the certified as well as true typed copy of Annexure A-1.

2. For the reasons mentioned in the application, the same is allowed subject to all just exceptions. Annexure A-1 is taken on record. Exemption sought for is granted.

CRM-M-7257-2026

1. The jurisdiction of this Court has been invoked under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (old section 482 of Cr.P.C) for quashing of impugned order dated 31.07.2018 (Annexure P-3) passed by



learned JMIC, Gurugram whereby the petitioner has been declared as proclaimed person in complaint No.NACT-3668-2017 titled as '*India Infoline v. Gopalbhai Chhaganbhai Matiya*'.

2. Learned counsel for the petitioner submits that the petitioner was declared a proclaimed person vide order dated 31.07.2018 (Annexure P-3), passed by the learned JMIC, Gurugram. It is further submitted that, subsequently, vide order dated 10.08.2022, the complaint was dismissed as withdrawn by the learned trial Court, as the complainant expressed unwillingness to pursue the matter in view of a compromise having been effected between the parties. Learned counsel also submits that the petitioner undertakes to appear before the trial Court on each and every date of hearing.

3. Notice of motion.

4. On the asking of the Court, Mr. Sushil Bhardwaj, Addl. A.G. Haryana, who is present in Court, accepts notice on behalf of the respondent-State and submits that the impugned order has been passed after following the due procedure prescribed under law. He further submits that he has no knowledge of any compromise having been effected between the parties.

5. Having heard learned counsel for the parties and upon perusal of the record with their able assistance, this Court is of the considered view that, in light of the amicable settlement arrived at between the parties and the consequent dismissal of the complaint as withdrawn vide order dated 10.08.2022 (Annexure P-4), the impugned order dated 31.07.2018 (Annexure P-3), whereby the petitioner was declared a proclaimed person, is liable to be set aside.



6. Accordingly, the impugned order dated 31.07.2018 (Annexure P-3) is set aside to the extent of declaring the petitioner as proclaimed person along with all consequential proceedings arising therefrom. The petitioner is directed to be released on bail, in the eventuality of surrender by him before the trial Court within a period of 10 days from today.

7. The petitioner shall also furnish fresh bail bonds/surety bonds to the satisfaction of the trial Court. Besides, petitioner will also submit an undertaking/affidavit that he will keep appearing during the proceedings of the trial in future and the proceedings will not be delayed because of his conduct.

8. It is made clear that in case, petitioner fails to appear before the trial Court within a stipulated period, this order shall be deemed to be vacated.

9. With aforementioned terms, present petition stands disposed of.

10. All pending miscellaneous application(s), if any, stands disposed of.

21.04.2026

Poonam Negi

**(MANDEEP PANNU)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*