



2026:PHHC:061794



2026:PHHC:061794

CRM-M-22346-2026

-1-

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

145

CRM-M-22346-2026

Date of decision: 23.04.2026

KUNAL DEVGUN

... PETITIONER

Versus

STATE OF PUNJAB

... RESPONDENT

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

Present:- Mr.H.S. Sidhu, Advocate for the petitioner.

H.S. Grewal, J.(Oral)

1. This petition has been preferred by the petitioner under Section 528 of BNSS, 2023 (erstwhile Section 482 Cr.P.C.), seeking quashing of the order dated 23.03.2026 (Annexure P-4) passed by the learned Sub-Divisional Judicial Magistrate, Zira, District Ferozepur in case FIR No.39 dated 18.05.2024, registered under Sections 307, 323, 324, 427, 148, 149 IPC (now Sections 109, 115(2), 118(1), 324(4)(5), 191(3) & 190 of BNS, 2023) and Section 25 of the Arms Act, 1959, at Police Station City Zira, District Ferozepur whereby the petitioner was declared as a proclaimed offender.

2. Learned counsel for the petitioner submits that the trial Court, without following the procedure prescribed under Section 82 Cr.P.C., declared the petitioner a proclaimed offender vide the impugned order, which is unsustainable under the law as no publication, no announcement or affixation has been done in the present case. Learned counsel also submits that the



2026:PHHC:061794



2026:PHHC:061794

CRM-M-22346-2026**-2-**

petitioner undertakes to appear before the trial Court concerned on each and every date and would not absent himself without prior permission of the trial Court. It is, therefore, prayed that the petitioner may be permitted to surrender before the learned trial Court to attend the trial proceedings continuously and the impugned order may be set aside.

3. Notice of motion.

4. On the asking of the Court, Mr. P.S. Pandher, AAG, Punjab, accepts notice on behalf of the respondent.

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

6. In view of the facts and circumstances of this case, this Court does not find any legitimate ground to interfere with the impugned order. However, liberty is granted to the petitioner that in case, he surrenders before the trial Court within 07 days and moves an application for grant of bail, the same shall be considered and decided by the trial Court within a period of three days of filing of the said application in accordance with law.

7. With these observations, the present petition stands disposed of.

(H.S. GREWAL)
JUDGE

April 23, 2026
Sonia

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