

IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

Cr.MMO No. 339 of 2026

Date of Decision:17.04.2026

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Ses Ram

...Petitioner

Versus

Shyam Lal

...Respondents  
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Coram:

The Hon'ble Mr. Justice Sandeep Sharma, Judge.

***Whether approved for reporting?***<sup>1</sup> .

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For the Petitioner:

Mr. Vinod Gupta, Advocate.

For the Respondent:

Nemo.  
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Sandeep Sharma, J. (Oral)

Being aggrieved and dissatisfied with order dated 29.12.2025 passed by learned Chief Judicial Magistrate, Kullu, District Kullu, Himachal Pradesh, whereby petitioner has been declared as proclaimed offender in terms of Section 84 of Bharatiya Nagarik Suraksha Sanhita(82 Cr.P.C), petitioner has approached this Court in the instant proceedings filed under Section 528 Bharatiya Nagarik Suraksha Sanhita, praying therein to set-aside aforesaid order and grant him one last opportunity to appear before the Court below.

2. Having regard to the nature of the prayer and order proposed to be passed in the instant proceedings, this Court deems it not necessary to issue notice to the respondent because

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<sup>1</sup> Whether reporters of the local papers may be allowed to see the judgment?

it would not only cause inconvenience to him, rather he would be unnecessarily burdened to engage counsel to represent him in the instant proceedings, which can be otherwise disposed of on the basis of material available on record.

3. Though, having carefully perused the material available on record vis-à-vis reasoning assigned in the impugned order, this Court sees no illegality or infirmity in the same, but having taken note of the statement made by learned counsel for the petitioner that petitioner is ready and willing to pay the entire cheque amount within a period of one week, this Court deems it fit to dispose of the present petition with a direction to the petitioner to remain present in the Court of learned Chief Judicial Magistrate, Kullu, District Kullu, Himachal Pradesh on **22.04.2026**, enabling it to consider the prayer made on behalf of the petitioner for settling the matter with the respondent/complainant, subject to payment of costs amounting to Rs. 5000/- payable to the respondent/complainant. Ordered accordingly.

4. Since the petitioner has categorically stated before this Court that he shall pay entire cheque amount on the next date of hearing, Court below before considering the prayer made on behalf of the petitioner for recalling of proclamation order, would ensure that entire cheque amount is paid to the respondent/complainant. It is made clear that in case petitioner fails to come

present on the date fixed by this Court, order dated 29.12.2025 passed by learned Chief Judicial Magistrate, Kullu shall automatically revive and thereafter, police would be at liberty to arrest the petitioner in terms of proclamation order issued by the trial Court. Pending applications, if any, also stand disposed of.

**(Sandeep Sharma)**  
**Judge**

**April 17,2026**  
(shankar)