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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.19014 of 2015
Date of Decision: 04.06.2015

ANURAG MAHESHWARY

.....Petitioner

Vs

STATE OF HARYANA AND ANR

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Baldev Singh, Advocate
for the petitioner.

1. *Whether Reporters of local papers may be allowed to see the judgment ?*
2. *To be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

RAJ MOHAN SINGH, J. (Oral)

Learned counsel for the petitioner states that petitioner was declared as proclaimed person without effecting lawful service upon him. The offence under Section 138 of Negotiable Instruments Act is bailable and he could have appeared before the trial Court for the purposes of seeking bail.

Learned counsel has shown his apprehension that in view of order dated 28.05.2015 passed by Judicial Magistrate Ist Class, Gurgaon, transferring the case to competent Court within the jurisdiction of Delhi in view of decision rendered by Apex Court in **Dashrath Rupsingh Rathor v. State of Maharashtra & Another, Crl. Complaint No.2287 of 2009**, decided on 01.08.2014, petitioner

may be taken into custody by the Police at any time.

Notice of motion.

On asking of the Court, Mr. Rajesh K.Sheoran, Addl. A.G., Haryana accepts notice on behalf of respondent-State. Let a copy of the petition be supplied to him by learned counsel for the petitioner during course of day.

Heard.

Keeping in view the nature of prayer made in the petition, petitioner is directed to appear before Judicial Magistrate Ist Class, Gurgaon and the Magistrate shall consider his prayer for transit relief.

Disposed of.

June 04, 2015

Atik

**(RAJ MOHAN SINGH)
JUDGE**