

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

**CRM-M-13767 of 2016
DECIDED ON: April 25, 2016**

Barinder Kumar Garg

.....PETITIONER

VERSUS

State of Punjab and another

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

- 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?**

Present: Ms. Amrita Nagpal, Advocate,
for the petitioner.

JASPAL SINGH, J (ORAL)

This is a petition preferred under Section 482 of the Code of Criminal Procedure by Barinder Kumar Garg-petitioner, for quashing of order dated 15.02.2016 (Annexure P-3) passed by Chief Judicial Magistrate, Mohali whereby he has been declared proclaimed offender in criminal complaint No. 759 of 2015 dated 14.03.2012 filed under Section 138 of the Negotiable Instruments Act.

2. Notice of motion to official respondents.

3. At the asking of the Court, Mr. Arjinder Singh Sidhu, AAG, Punjab has accepted notice on behalf of respondents-State. Copy of the paper has been supplied to learned State counsel.

4. A close scrutiny of the impugned order dated April 6, 2016 passed by Id. Additional Sessions Judge, SAS, Nagar Mohali reveals that the petitioner has avoided the service of the process and even he was informed telephonically as per the reports available on the file and ultimately, the Court was left with no option but to declare him as proclaimed offender.

5. The instant petition is disposed of with the direction to the petitioner to surrender before the Id. trial court within a period of 7 days and in case of his surrender, an application moved by him for bail shall be finally disposed of by the concerned court within a period of 5 days.

APRIL 25, 2016
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(JASPAL SINGH)
JUDGE