

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

105

CRM-M-32759-2016 (O&M).
Decided on: September 19, 2016.

Shubhkarman Singh Brar

.. Petitioner(s)

VERSUS

Shaminder Singh

.. Respondent(s)

* * *

CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI

* * *

PRESENT Mr.Baldev Singh Sodhi, Advocate,
for the petitioner.

M.M.S. BEDI, J. (ORAL)

Petitioner apprehends arrest on account of proclamation having been issued against him under Section 82 of the Code of Criminal Procedure in proceedings under Section 138 of the Negotiable Instruments Act. The complaint appears to have been filed in the year 2013. He has been able to evade the appearance before the trial Court for a period of about three years.

Counsel for the petitioner submits that the petitioner is ready to appear before the trial Court and face the proceedings.

This petition is disposed of with a direction that the petitioner will appear before the trial Court within a period of 20 days along with bank draft of Rs.25,000/- in the name of complainant. In case of petitioner doing so, he shall be released on bail to the satisfaction of the said Court. The trial Court shall issue notice to the complainant and the bank draft will be handed over to the complainant as cost of unnecessary harassment having been caused to the complainant on account of evasive approach of the petitioner. The amount of Rs.25,000/- will be deemed to be costs under the provisions of Explanation 2 to Section 309 Cr.P.C.

This Court has opted to dispose of this petition in limine to save the unnecessary expenditure and further harassment to the complainant. In case the order is not acceptable to the complainant, it will be open to the complainant to appear before this Court for review of the order. It is made clear that in case of non-compliance of this order, this petition will be deemed to have been dismissed.

(M.M.S. BEDI)

JUDGE

September 19, 2016.

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Whether speaking / reasoned
Whether Reportable:

Yes / No
Yes / No