

*IN THE HIGH COURT FOR THE STATES OF PUNJAB
AND HARYANA AT CHANDIGARH.*

Cr. Misc. M 43910 of 2016

Date of decision: 8.12.2016

Janpreet Singh

Petitioner

vs.

State of Punjab and anr

Respondent

Present: Mr. Rishu Mahajan, Advocate.

M.M.S.BEDI,J.

In proceedings u/s 138 of the Negotiable Instruments Act, the petitioner has been declared as proclaimed offender vide order dated 27.7.2016.

Counsel for the petitioner submits that neither the petitioner has been served with any notice nor he had any knowledge regarding publication. However, he has expressed his intention to put in appearance before the trial court and participate in the proceedings. In order to save the complainant from further unnecessary expenditure, harassment and delay, I deem it appropriate to dispose of this petition in limine.

The petition is disposed of, in the interest of justice, in limine with a direction to the petitioner that he would appear before CJM, Amritsar on or before 24.1.2017 along with a bank draft of Rs.25000/-, in the name of the complainant. In case of petitioner doing so, he will be released on bail to the satisfaction of the said court. It will be open to the said court to take up the complaint by issuing notice to the complainant. It will also be open to CJM, Amritsar to keep the complaint with himself/ herself or entrust the same to any other court of competent jurisdiction on revival of the proceedings. The complainant will be entitled to the amount of bank draft of

Rs.25000/- as cost, which will be deemed to be a cost as per *explanation 2 to Section 309 Cr.P.C.* It is ordered that in case of non compliance of the order, this petition will be deemed to have been dismissed.

Since this petition has been disposed of in limine, if the order is not acceptable to the complainant, it will be open to him to approach this court to seek review of this order.

December 8 ,2016
TSM

(M.M.S.BEDI)
JUDGE

Whether speaking/ reasoned

Yes/ No

Whether Reportable

Yes/ No