

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

***CRM No.M-6519 of 2016 (O&M)
Date of decision : 31.03.2016***

Lal Singh

... Petitioner

Vs.

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

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

...

TEJINDER SINGH DHINDSA, J.

The present petition has been filed under Section 482 Cr.P.C. seeking quashing of the order dated 04.07.2015 (Annexure P-2) passed by the learned Sub Divisional Judicial Magistrate, Abohar whereby the petitioner has been declared a proclaimed person in the Complaint Case No.493/08.09.2014, titled as The Fazilka Central Cooperative Bank Limited Vs. Lal Singh, under Section 138 of the Negotiable Instruments Act.

Counsel for the petitioner has been heard.

This Court is satisfied that the provisions of Section 82 Cr.P.C. have been duly complied with as the observations contained in the impugned order as regards publication of proclamation and statements of the serving official i.e. Constable Atul stand duly recorded. Copy of proclamation was placed on record as Ex.PA before the trial Court and even the report dated 25.04.2015 was taken on record as Ex.PB. Even after the conclusion of mandatory period of 30

days, the petitioner did not put in appearance before the trial Court and which has led to the passing of the impugned order.

At this stage, counsel submits that he would not be pressing the instant petition and rather raises an alternate prayer that the petitioner would duly surrender before the trial Court and if thereafter, files an application for bail, directions be issued for deciding the same forthwith.

As per submission made by counsel, petition is dismissed as not pressed.

However, it is observed that in case the petitioner duly surrenders within a period of one week from today and thereafter, files an application for bail, the same would be considered strictly on merits and the Court would make an endeavour to expedite the disposal of the same.

Disposed of.

31.03.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**