

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M-892 of 2016 (O/M)
Date of decision : 12.1.2016

Nirmal Singh

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Vishal Mittal, Advocate, for the petitioner.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
 2. To be referred to the Reporter or not.
 3. Whether the judgment should be reported in the digest ?
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KULDIP SINGH J. (ORAL)

Impugned in the present petition is the order dated 9.12.2013 (Annexure-P-3), passed by the learned Judicial Magistrate 1st Class, Sri Muktsar Sahib, vide which the petitioner has been declared a proclaimed person in Criminal Complaint No. RT-86 dated 21.7.2010/1.10.2012, titled as Ashwani Kumar Contractor Versus Nirmal Singh, filed under Sections 138 and 117 of the Negotiable Instruments Act, 1881, read with Section 356 Cr.P.C.

Learned counsel for the petitioner contends that the petitioner was appearing before the lower Court, but due to his health problem, he remained absent and has been declared a proclaimed offender, vide order dated 9.12.2013 (Annexure-P-3), passed by the learned Judicial Magistrate 1st Class, Sri Muktsar

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Sahib. Though, the offence under Sections 138 and 117 of the Negotiable Instruments Act, 1881, is bailable, but once the accused jumped the bail, it ceased to be bailable offence.

In these circumstances, since the petitioner is a proclaimed offender, he is directed to surrender before the lower Court and move appropriate bail application. The bail application, if so moved, shall be decided expeditiously.

In view of the above, the present petition is disposed of.

(KULDIP SINGH)
JUDGE

12.1.2016
sjks