

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM No. M-909 of 2016 (O/M)  
Date of decision : 12.1.2016

Ram Dass

..... Petitioner

Versus

Sunil Kumar

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Parminder Singh, 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 summoning order dated 28.10.2014 (Annexure-P-4), passed by the learned Judicial Magistrate 1<sup>st</sup> Class, Panipat, and order dated 30.9.2015 (Annexure-P-6), vide which the petitioner has been declared a proclaimed offender in Criminal Complaint No. 910 of 2014 dated 28.10.2014, titled as Sunil Kumar Versus Ram Dass, filed under Section 138 of the Negotiable Instruments Act, 1881.

Learned counsel for the petitioner contends that the petitioner has been summoned in a complaint case filed under Section 138 of the Negotiable Instruments Act, 1881, vide order dated 28.10.2014 (Annexure-P-4), passed by the learned Judicial Magistrate 1<sup>st</sup> Class, Panipat. But the petitioner was not properly

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served and has been wrongly declared a proclaimed person, vide order dated 30.9.2015 (Annexure-P-6), passed by the learned Judicial Magistrate 1<sup>st</sup> Class, Panipat. Therefore, the petitioner seeks quashing of the said impugned orders. It is further stated that the offence is otherwise bailable.

In these circumstances, the present petition is disposed of with a direction to the petitioner to surrender before the lower Court and move appropriate application for grant of bail. Till the bail application is decided, the petitioner will not be arrested.

(KULDIP SINGH)  
JUDGE

12.1.2016  
sjks