

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

CRL. MISC. No.M-15567 OF 2017
DATE OF DECISION : 4th MAY, 2017

Virender Mohan Kaushal

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

* * * *

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

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A. B. CHAUDHARI, J. (ORAL)

Rule.

It is not necessary to issue notice to the respondent in view of the short controversy involved. In FIR No.90 dated 21.01.2017 registered under Section 174-A IPC the petitioner has been declared proclaimed offender since he did not appear before the trial Court. As a result of the proceedings finally offence under Section 174-A IPC has been registered against him. Originally the criminal case relates to the complaint case under Section 138 of the Negotiable Instruments Act, titled as Ramdas versus Mohit in respect of cheque amount in the sum of ₹30,000/-. It is in that connection due to non-appearance of the petitioner, he has been declared proclaimed offender.

In my opinion, looking to the nature of the prosecution against the petitioner accused under Section 138 of the Act, it would make no difference if he is allowed a chance to participate in the prosecution against him. Without finding any fault with the trial Court's order, the petitioner will have to furnish bail bonds with the trial Court on his appearance before the trial Court and shall attend the trial with

promptitude for its disposal in accordance with law. In that view of the matter, the following order is passed:-

ORDER

- (i) CRL. MISC. No.M-15567 OF 2017 is allowed;
- (ii) The petitioner shall appear before the trial Court on 29.05.2017 and shall be released on anticipatory bail on his furnishing bail bonds amounting to ₹10,000/- with one surety of like amount, subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned. Thereafter, the petitioner shall appear before the trial Court with promptitude for completion of the trial.

4th MAY, 2017
‘raj’

(A. B. CHAUDHARI)
JUDGE

<i>Whether speaking/reasoned</i>	:	<i>Yes</i>	<i>No</i>
<i>Whether Reportable</i>	:	<i>Yes</i>	<i>No</i>