

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

CRM No.M-19681 of 2017

Date of decision: 02.08.2017

Gulzar Singh

....Petitioner

Versus

Sharma Finance

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Sandeep Arora, Advocate
for the petitioner.

ARVIND SINGH SANGWAN J. (Oral)

The present petition has been preferred seeking quashing of proclamation order dated 16.08.2016 (Annexure P2) passed by the trial Court in complaint No.180/2015 dated 15.11.2015 under Section 138 of the Negotiable Instruments Act.

Counsel for the petitioner submits that the petitioner was never served with the summons/warrants issued by the trial Court and he was not aware about the proceedings pending before the trial Court when the proclamation proceedings were initiated against him. He further submits that the petitioner is ready to appear before the trial Court and is ready to face the proceedings, in accordance with law.

Heard. Since subsequent to the proclamation, file has been consigned to record room, there is no need to issue notice to the respondent.

In view of the above, the petition is disposed of with a direction that in case the petitioner surrender/appear before the trial Court on or before 18.08.2017, he shall be granted bail on furnishing bail/surety bonds, subject to payment of costs of Rs.10,000/- to be

deposited with the District Legal Services Authority, Gurdaspur on account of delaying the proceedings. The trial Court after allowing the petitioner to appear, after issuing notice to the complainant shall proceed further with the case. It is made clear that in case the petitioner fails to appear before the trial Court on or before 18.08.2017 and fails to comply with the aforesaid direction, then the order declaring him a proclaimed offender shall automatically revive.

Disposed of.

(ARVIND SINGH SANGWAN)
JUDGE

02.08.2017
yakub

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No