

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M No.44384 of 2017 (O&M)

Date of decision : 11.12.2017

...

Mohan Singh

.....Petitioner

vs.

State of Punjab and another

.....Respondents

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. Sachin Luthra, Advocate for the petitioner

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H. S. Madaan, J. (Oral)

Petitioner Mohan Singh, an accused in a complaint under Section 138 of the Negotiable Instruments Act, had been summoned by the trial Magistrate. His presence could not be procured despite issuance of summons and warrants of arrest against him repeatedly and recording his satisfaction that he was concealing himself, the Illaqa Magistrate issued proclamation under Section 82 Cr.P.C. against him, that was duly executed by publication. He failed to put in appearance even after statutory period of 30 days, as such vide order dated 20.10.2016, he was declared a proclaimed absconder.

It is stated that non appearance of the petitioner in the Court

was not intentional or willful. Copies of several documents have been attached in that regard. It is stated that the matter is going to be compromised between the parties.

However, I do not find anything wrong with the impugned order. Therefore, the petition stands dismissed.

The petitioner is directed to surrender in the trial Court immediately and on his doing so and moving an application for regular bail, the same be decided expeditiously.

A copy of the order be sent to the trial Court, through District and Sessions Judge, concerned, for information and compliance.

(H.S. Madaan)
Judge

11.12.2017

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Whether speaking / reasoned

Yes / No

Whether reportable

Yes / No