

254.

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

CRM-M-35779-2017

Date of decision:17.09.2018.

MOHAN LAL DHURIYA

... Petitioner

Versus

STATE OF HARYANA AND ANR.

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr.HPS Bhinder, Advocate,
for the petitioner.

Mr. Ripu Daman, AAG, Haryana,
for respondent No.1.

None for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing the impugned order dated 10.04.2017 (Annexure P-7) passed by learned Additional Chief Judicial Magistrate, Rewari, whereby in a complaint filed by respondent No.2 under Section 138 of Negotiable Instruments Act i.e. Complaint No.39 dated 05.04.2016, the petitioner was declared as Proclaimed Offender.

Learned counsel for the petitioner states that pursuant to order dated 25.09.2017, the operation of the impugned order dated 10.04.2017 was stayed and thereafter, pursuant to order dated 20.10.2017 passed by this Court in CRM-M-39546-2017 titled as Mohan Lal Dhuriya Versus State of Haryana and another, the petitioner appeared before the trial Court and was admitted on bail. He has now joined the proceedings and the evidence of the

complainant is going on.

Service on respondent No.2 is complete as he has been served through daughter-in-law, but no one has put in appearance on his behalf.

Be that as it may, since in the complaint filed under the Section 138 of Negotiable Instruments Act, petitioner has joined the trial, appeared before the trial Court and has been admitted on bail and is facing trial, present petition is allowed and the order dated 10.04.2017 passed by learned Additional Chief Judicial Magistrate, Rewari, is set aside.

However, the petitioner shall continue to appear and under the garb of this order, he shall not delay the proceedings in any manner.

(HARI PAL VERMA)
JUDGE

17.09.2018
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No