

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

CRM-M-41079 of 2018 (O&M).

Decided on:-September 18, 2018.

Ankur Bansal.

.....Petitioner.

Versus

State of Punjab and another

.....Respondents.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. Onkar Rai, Advocate
for the petitioner.

HARI PAL VERMA, J. (ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of the impugned order dated 28.09.2017 (Annexure P-3) passed by learned Sub Divisional Judicial Magistrate, Jagraon in a complaint case bearing No.COMA 257 dated 31.08.2016 titled as “*Rajesh Kumar Versus Ankur Bansal*” filed under Section 138 of the Negotiable Instruments Act, 1881, whereby the petitioner-accused has been declared as a proclaimed person.

Learned counsel for the petitioner states that the petitioner could not appear before the trial Court on the relevant date as his son had suddenly fallen ill for which the conducting lawyer was informed by the petitioner. Thus, non-appearance of the petitioner on the relevant date i.e. on 12.07.2018 was bona fide and beyond his control. However, the petitioner is ready to appear before the trial Court and to face the trial.

Notice of motion to respondent No.1-State only.

On asking of this Court, Mr. Surinder Pal Singh Tinna, Addl. A.G., Punjab accepts notice on behalf of the respondent-State.

Let requisite number of copies of paper book be given to learned State counsel during the course of the day.

Heard.

Without commenting anything on the merits of the case, the present petition is disposed of with a direction that in case the petitioner appears before the trial Court within a week from today, he shall be admitted on bail on his furnishing fresh bail bonds and surety bonds to the satisfaction of learned trial Court subject to payment of costs of Rs.10,000/- by the petitioner to be deposited in the concerned District Legal Services Committee.

September 18, 2018
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No