

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

260(1)	CRM-M-45994-2017
Karan Kumar	Petitioner
Versus	
State of Punjab and another	Respondents
260(2)	CRM-M-46021-2017
Karan Kumar	Petitioner
Versus	
State of Punjab and another	Respondents
260(3)	CRM-M-46039-2017
Karan Kumar	Petitioner
Versus	
State of Punjab and another	Respondents
260(4)	CRM-M-46053-2017
Karan Kumar	Petitioner
Versus	
State of Punjab and another	Respondents
260(5)	CRM-M-46056-2017
Karan Kumar	Petitioner
Versus	
State of Punjab and another	Respondents
260(6)	CRM-M-46060-2017
Karan Kumar	Petitioner
Versus	
State of Punjab and another	Respondents

CRM-M-45994-2017

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**260(7)
Karan Kumar**

**CRM-M-46061-2017
.....Petitioner**

Versus

State of Punjab and another

.....Respondents

Date of Decision:04.12.2018

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

Present: None.

HARI PAL VERMA, J.(Oral)

This order shall dispose of bunch of petitions bearing **CRM-M-45994-2017** (Karan Kumar Versus State of Punjab and another), **CRM-M-46021-2017** (Karan Kumar Versus State of Punjab and another), **CRM-M-46039-2017** (Karan Kumar Versus State of Punjab and another), **CRM-M-46053-2017** (Karan Kumar Versus State of Punjab and another), **CRM-M-46056-2017** (Karan Kumar Versus State of Punjab and another), **CRM-M-46060-2017** (Karan Kumar Versus State of Punjab and another), **CRM-M-46061-2017** (Karan Kumar Versus State of Punjab and another) as the facts of these petitions are similar in nature.

However, for the facility of reference, facts have been taken from **CRM-M-45994-2017 (Karan Kumar Versus State of Punjab)**.

Karan Kumar, the petitioner in these cases has filed petitions for quashing the complaints bearing Nos.198/2014 dated 17.02.2014, 5/2014 dated 17.01.2014, 6/2014 dated 21.03.2014, 20/2014 dated 17.02.2014 titled as "Chamail Singh Versus Karan Kumar" as well as the order dated 20.02.2016 (Annexure P-3), complaint No.154/2014 dated

22.04.2014, titled as “Jagdish Singh Versus Karan Kumar” as well as order dated 13.01.2016 (Annexure P-2), complaint Nos.156/2014 dated 16.04.2014 and 228/2014 dated 27.07.2014, titled as “Beena Joshi Versus Karan Kumar” as well as order dated 15.07.2016 filed under Section 138 of the Negotiable Instruments Act, whereby the petitioner has been declared a proclaimed offender in contravention to Chapter-VI and provisions of Section 82 of the Code of Criminal Procedure.

The brief facts of the case are that in order to meet his needs, the petitioner availed loan for an amount of ₹8,00,000/- from the respondent-complainant in the month of December, 2012 with the promise to return the same within one year to the complainant. Since the amount was not returned back, complainant approached the accused for the said amount, for which the petitioner-accused had issued a cheque bearing No.106123 dated 24.12.2013 for an amount of ₹2,00,000/- from his account No.631520110000011 of Bank of India Branch, Mukerian. This cheque was presented for encashment on 26.12.2013, but the cheque was dishonoured with an endorsement that “account closed”. Complainant had filed the complaint under Section 138 of the N.I. Act, but as the petitioner did not appear before the trial court within the stipulated period of 30 days despite having been issued a notice, P.O. Proceedings were initiated against him vide order dated 20.02.2016 declaring him as proclaimed offender.

Neither anybody has appeared on behalf of the petitioner nor process fee was filed in the case.

Considering the fact that the complainant has filed the complaints under Section 138 of the Negotiable Instruments Act and the matter is stated to have been compromised, for which the petitioner has

attached the compromise (Annexure P-2) signed by the wife of respondent No.2-complainant, all these petitions are disposed of with a direction that in case the petitioner surrenders before the trial court within two months from today, the trial court shall admit him on bail, subject to his furnishing adequate bail bonds/surety bonds to its satisfaction. However, the same shall be subject to payment of ₹5,000/- as costs in each case with the District Legal Services Authority, Hoshiarpur.

Since the complaints were filed in the year February, 2014, the present petitions are disposed of at this stage without issuing notice to the respondents as it will further delay the proceedings which are already delayed. Moreover, the petitioner has relied upon the compromise having been arrived at between the parties (Annexure P-2).

December 04, 2018

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(HARI PAL VERMA)**JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No