IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.118

1. **CRM-M-6879-2018**
Date of decision : 20.02.2018

N.J. Desai ..... Petitioner

VERSUS

State of Haryana and others ..... Respondents

2. **CRM-M-6978-2018**

N.J. Desai ..... Petitioner

VERSUS

State of Haryana and others ..... Respondents

3. **CRM-M-7008-2018**

N.J. Desai ..... Petitioner

VERSUS

State of Haryana and others ..... Respondents

4. **CRM-M-7009-2018**

N.J. Desai ..... Petitioner

VERSUS

State of Haryana and others ..... Respondents

5. **CRM-M-7010-2018**

N.J. Desai ..... Petitioner

VERSUS

State of Haryana and others ..... Respondents

6. **CRM-M-7011-2018**

N.J. Desai ..... Petitioner

VERSUS

State of Haryana and others ..... Respondents

Ramandeep Singh
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7. **CRM-M-7013-2018**

N.J. Desai ..... Petitioner

VERSUS

State of Haryana and others ..... Respondents

8. **CRM-M-7014-2018**

N.J. Desai ..... Petitioner

VERSUS

State of Haryana and others ..... Respondents

9. **CRM-M-7015-2018**

N.J. Desai ..... Petitioner

VERSUS

State of Haryana and others ..... Respondents

10. **CRM-M-7017-2018**

N.J. Desai ..... Petitioner

VERSUS

State of Haryana and others ..... Respondents

11. **CRM-M-7041-2018**

N.J. Desai ..... Petitioner

VERSUS

State of Haryana and others ..... Respondents

12. **CRM-M-7052-2018**

N.J. Desai ..... Petitioner

VERSUS

State of Haryana and others ..... Respondents

13. **CRM-M-7055-2018**

N.J. Desai ..... Petitioner

VERSUS

State of Haryana and others ..... Respondents

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14. **CRM-M-7058-2018**

N.J. Desai ..... Petitioner

VERSUS

State of Haryana and others ..... Respondents

15. **CRM-M-7094-2018**

N.J. Desai ..... Petitioner

VERSUS

State of Haryana and others ..... Respondents

16. **CRM-M-7109-2018**

N.J. Desai ..... Petitioner

VERSUS

State of Haryana and others ..... Respondents

17. **CRM-M-7111-2018**

N.J. Desai ..... Petitioner

VERSUS

State of Haryana and others ..... Respondents

18. **CRM-M-7116-2018**

N.J. Desai ..... Petitioner

VERSUS

State of Haryana and others ..... Respondents

19. **CRM-M-7117-2018**

N.J. Desai ..... Petitioner

VERSUS

State of Haryana and others ..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Sahil Mulich, Advocate for
Mr. Amit Kashyap, Advocate, for the petitioner.

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SUDHIR MITTAL, J. (Oral)

This order shall dispose of above mentioned petitions as common facts are involved therein and the same have been filed by the petitioner for quashing of FIR Nos.1744 dated 12.12.2017, 1748 dated 12.12.2017, 1746 dated 12.12.2017, 1761 dated 19.12.2017, 1746 dated 12.12.2017, 1733 dated 12.12.2017, 1742 dated 12.12.2017/, 1731 dated 12.12.2017, 1736 dated 12.12.2017, 1735 dated 12.12.2017, 1739 dated 12.12.2017, 1743 dated 12.12.2017, 1734 dated 12.12.2017, 1749 dated 12.12.2017, 1732 dated 12.12.2017, 1740 dated 12.12.2017, 1745 dated 12.12.2017, 1741 dated 12.12.2017 and 1737 dated 12.12.2017, as also the Order dated 08.11.2017, whereby the petitioner has been declared as proclaimed person by the Judicial Magistrate First Class, Yamuna Nagar at Jagadhari.

Learned counsel for the petitioner contends that the petitioner has appeared before the learned Judicial Magistrate First Class, Jagadhari and his bail and surety bonds have been accepted in the ongoing complaint cases. It is further submitted that the petitioner is suffering from cancer and is residing in the State of Maharashtra and therefore, it is difficult for him to travel to Jagadhari to join the investigation in the aforementioned FIR.

Notice of motion.

Mr. Munish Sharma, AAG, Haryana, accepts notice on behalf of the State of Haryana. Let two copies of the petition be supplied to him during the course of the day.

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In view of the nature of the order being passed, there is no necessity to call upon respondents No.2 and 3, at this stage.

Inability to join the investigation is no ground for quashing of FIR. The petitioner is at liberty to challenge the charge-sheet, if any filed by the police, if so advised. With this observation petition stands disposed of.

However, keeping in view the health condition of the petitioner, S.H.O, Police Station, Jagadhari, is directed that in the case the petitioner is required to join investigation in the above FIRs, he be associated only on the dates of hearing in the pending complaints under Section 138, Negotiable Instruments Act, 1881 against him before the Judicial Magistrate First Class, Yamuna Nagar at Jagadhari and in case any application for exemption is moved by the petitioner, on health grounds, the same be considered sympathetically.

A photocopy of this order be placed on the files of other connected cases.

(SUDHIR MITTAL)
JUDGE

February 20, 2018
Ramandeep Singh

Whether speaking / reasoned Yes / No

Whether Reportable Yes/ No

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