

130.

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

CRM-M-77334-2018

Date of decision:20.12.2018.

RAKESH KUMAR

... Petitioner

versus

STATE OF PUNJAB AND ANR.

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Raman Chawla, Advocate,
for the petitioner.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is to quash the order dated 31.10.2017 (Annexure P-1) whereby in a complaint filed under Section 138 of Negotiable Instruments Act, PO proceedings have been initiated against the petitioner and the petitioner has been declared as Proclaimed Person.

Learned counsel for the petitioner, while drawing attention of this Court to the zimini orders attached with the petition at Annexure P-2, states that the petitioner in the case was never served. However, the petitioner is ready to appear before the trial Court and to face trial in the complaint. He further states that the proceedings under Section 174 Cr.P.C. have not been initiated against the petitioner-accused.

Notice of motion only to respondent No.1 at this stage.

At the asking of the Court, Mr. Jagmohan Ghumman, DAG, Punjab, accepts notice on behalf of the respondent-State.

Let a copy of paper book be given to learned State counsel during the course of the day.

Heard.

It being a cheque bounce case for an amount of Rs.1,24,000/- and considering the fact that the petitioner has shown his inclination to appear before the trial Court and to face trial in the complaint, the present petition is disposed of with a direction that in case the petitioner surrenders before the trial Court within a week from today and furnishes an undertaking that he shall continue to appear before the trial Court unless exemption is granted, he shall be admitted on bail subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

(HARI PAL VERMA)
JUDGE

20.12.2018
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.