

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

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CRM-M-7801-2019

Date of Decision : 28.2.2019

Pawan Kumar Rai

....Petitioner

vs.

Beer Pal and another

....Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Amandeep Rana , Advocate
for the petitioner.

AJAY TEWARI, J. (Oral)

By this petition the petitioner has challenged the order dated 19.11.2018 passed by the Trial Court whereby he was declared proclaimed offender.

A perusal of the order showed that the petitioner had been playing hide and seek with the Court since 28.3.2016 and originally, I was not inclined to give any relief to the petitioner. On the persuasion of the learned counsel I change my mind and put it to the learned counsel that in any case the disputed cheque was dated 2.9.2015 and the petitioner had already delayed trial by three years and therefore he should create fixed deposit of Rs.3 lakhs so that in case ultimately if the complaint was allowed this amount (alongwith interest accrued thereon) be given to the complainant as a damages and in case the complaint is ultimately dismissed the amount be refunded back to the petitioner.

Counsel for the petitioner has accepted this condition. He will

now make a fixed deposit of Rs.3 lakhs in any nationalized bank and hand over the same to the Trial Court on the next date of hearing i.e.15.4.2019 and the Trial Court will direct that Bank not to let it encash till the further orders of the Court. In case the petitioner does the same, impugned order 19.11.2018 will be set aside and he will be released on bail on 15.4.2019 in the Trial Court to its satisfaction.

The petition stands disposed of.

Since the main case has been decided, the pending C.M, if any, also stands disposed of.

28.2.2019
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No