

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

CRM-M-7532-2019

Date of Decision:03.07.2019

Bhola Singh

...Petitioner

Versus

State of Punjab and another

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. N.S.Dadwal, Advocate for the petitioner.
Mr.Surinder Pal Singh Tinna, Addl. Advocate General.

ANIL KSHETARPAL, J.

The petitioner has challenged the order declaring him proclaimed offender.

On 20.02.2019, following order was passed by this Court:-

“The petitioner was declared proclaimed offender vide order dated 28.11.2017 passed in a complaint under Section 138 of the Negotiable Instruments Act, 1881.

Learned counsel for the petitioner submits that the petitioner could not appear before the trial Court as he was never served. Earlier, vide order dated 11.9.2018 (Annexure P-5), the petitioner had been permitted to join the trial, subject to payment of ₹25,000/- as costs, but being a poor person, he could not arrange the costs and, thus, withdrew the said petition vide order dated 17.12.2018. Meanwhile, the petitioner was admitted in hospital due to a heart problem. Now, he has been able to arrange the money and has prayed the indulgence of this Court to permit him to join the trial.

Notice of motion for 22.5.2019.

The petitioner is directed to surrender before the trial Court on or before 27.2.2019 and seek regular bail. In case, such an application is filed, the trial Court is directed to allow

the same. However, the permission to join the trial is subject to deposit of ₹25,000/- in the trial Court, to be kept in a fixed deposit, to be disbursed to the successful party.

It is made clear that in case this order is not complied with, the petitioner shall not be entitled to any relief.”

Learned counsel for the petitioner submits that pursuant to the directions issued by this Court, the petitioner has surrendered before the court and has also deposited ₹25,000/- as ordered. He also submits that the petitioner has been released on regular bail.

In view of the above, the order dated 31.08.2018, declaring the petitioner proclaimed offender, is set aside.

Petition stands disposed of, accordingly.

03.07.2019
mks

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No