

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

**CRM-M-13405-2019
Decided on : 28.05.2019**

Manish Chadha

... Petitioner(s)

Versus

Vikas Dhawan and another

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Ashok Paul Batra, Advocate
for the petitioner(s).

MANJARI NEHRU KAUL, J. (Oral)

This petition has been filed under Section 482 Cr.P.C., *inter alia* seeking quashing and setting aside of order dated 02nd December, 2018 (Annexure P-5), passed by the Ld. Judicial Magistrate 1st Class, Rupnagar (in short 'Ld. JMIC') in Criminal Complaint No. NACT/405/15, dated 13.11.2015, titled as, "Vikas Dhawan Vs. Manish Chadha", under Section 138 of the Negotiable Instruments Act, 1881, decided on 02.12.2018, whereby, the petitioner was declared as Proclaimed Offender under Section 82 of Cr.P.C. and all the consequential proceedings arising therefrom.

Heard.

Admittedly, the petitioner was granted the concession of regular bail by the Ld. JMIC. However, on 29.07.2017, the petitioner absented himself without any intimation before the trial Court, as a result of which, the trial Court was compelled to cancel the bail bonds and issue the warrants to secure the arrest of the petitioner-accused. However, the petitioner-accused neither made any attempts to join the investigation nor appeared before the Court pursuant to the service of the warrants. It is also a matter of record that the absence period is approximately six months from the date, he absented himself for the first time

before the trial Court and till the date of initiation of the proclamation proceedings

under Section 82 Cr.P.C.

In view of the above, I do not deem it appropriate to invoke the inherent powers envisaged under Section 482 Cr.P.C. for setting aside the impugned order dated 02nd December, 2018.

Dismissed.

(MANJARI NEHRU KAUL)
JUDGE

May 28, 2019

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*