

118 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-19904-2019
Date of decision-21.05.2019

Balkar Singh

...Petitioner

Vs.

M/s Rajinder Trading Co.

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Ms. Khushbir K.Bhullar, Advocate for the petitioner.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 482 Cr.P.C for quashing of the order dated 24.01.2019 (Annexure P-3) and quashing of the complaint filed under Section 138 of Negotiable Instruments Act, 1881.

Learned counsel for the petitioner contends that the matter is fixed for tomorrow i.e.22.05.2019 before the trial Court. It is further contended that the accused had earlier appeared before the Court and was on bail. He had participated in the proceedings of trial by cross-examining the witnesses as reflected in the zimni orders attached as Annexure P-4 (colly). She further submits that on 31.07.2018, accused/petitioner could not appear before the trial Court on the date fixed as he was not aware about the date of hearing and petitioner was declared as a proclaimed offender vide order dated 24.01.2019.

After hearing learned counsel for the petitioner and the perusal of the petition, it is not necessary to issue notice to the complainant at this

stage as it shall be causing extra burden on the respondent/complainant. She further contends that accused/petitioner is ready and willing to join the proceedings

In view of the above, petition is disposed off with a direction to the petitioner to cause his appearance before the trial Court tomorrow positively and upon his appearance, the trial Court shall admit him on regular bail subject to his furnishing requisite bail bonds and surety bonds. As far as prayer for quashing of the complaint is concerned, no ground is made out as the prosecution witnesses have been cross-examined by the defence.

(MANOJ BAJAJ)
JUDGE

21.05.2019
vanita

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