

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-23493 of 2019

DATE OF DECISION: MAY 22, 2019

AJAY PAL

...PETITIONER

VERSUS

PANIPAT HIRE PURCHASE PVT. LTD. & ANOTHER ...RESPONDENT

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ.

PRESENT: MR. S.K, CHOUDHARY, ADVOCATE FOR THE PETITIONER.

MANOJ BAJAJ, J.(ORAL)

This petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail on the ground that vide order dated 4.10.2017, the petitioner was wrongly declared Proclaimed Offender in a complaint case bearing registration No.6947/2015 before the Sub-Divisional Judicial Magistrate, Chandigarh under Section 138 of the Negotiable Instruments Act, 1881.

The petitioner is an accused in a complaint case brought by respondent No.1 under Section 138 of the Negotiable Instruments Act, 1881. Learned counsel contends that previously also the petitioner was declared Proclaimed Offender, however, later on he was granted regular bail. It is contended that the trial Court has committed an error in declaring the petitioner as Proclaimed Offender vide order dated 4.10.2017.

It is submitted that the petitioner is ready to appear before the trial Court in case protection is extended to him.

After hearing learned counsel for the petitioner, this Court is of

the considered opinion that the petitioner is habitual of absenting himself from the Court and is declared Proclaimed Offender on every such occasion. If previously the petitioner had surrendered before the Court, the same course can be adopted by him now as well. Considering the conduct of the petitioner, no case is made out for granting anticipatory bail to him.

The petition is dismissed.

May 22, 2019
Gulati

(MANOJ BAJAJ)
JUDGE

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No