

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-23244 of 2019

DATE OF DECISION: MAY 21, 2019

PRITHAVI RAJ KASANA

...PETITIONER

VERSUS

U.T. CHANDIGARH AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ.

PRESENT: MR. RAJESH BHATEJA, ADVOCATE FOR THE PETITIONER.

MANOJ BAJAJ, J.(ORAL)

Petitioner Prithavi Raj Kasana has filed this petition for quashing the order dated 21.7.2018, passed by Judicial Magistrate Ist Class, Chandigarh (Annexure P-3) whereby he was declared proclaimed offender in Complaint Case No.12546 of 2017 filed under Section 138 of Negotiable Instruments Act, 2002.

Learned counsel for the petitioner contends that no summons or warrants have ever been received by him and the petitioner was not aware of any such proceedings launched against him.

It is evident from the record that the particulars of address of petitioner given in the complaint filed under Section 138 of the Negotiable Instruments Act, 1881 are same as contained in the present petition. It is clear that the Court has issued notice and the warrants at the said address and despite service of the petitioner, he never put in appearance before the Court.

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

the considered opinion that no justifiable explanation has been given by the accused for not causing his appearance in the said complaint case till date.

In view of the above, no ground is made out for quashing the order dated 21.7.2018, passed by Judicial Magistrate Ist Class, Chandigarh (Annexure P-3) declaring petitioner as Proclaimed Offender.

The petition is dismissed.

May 21, 2019
Gulati

(MANOJ BAJAJ)
JUDGE

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No