

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

CRM-M-44805-2019 (O&M)

Date of decision : 22.10.2019

Simmerpal Singh Somal

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Atul Aggarwal, Advocate for the petitioner.

ANIL KSHETARPAL, J. (ORAL)

Petitioner challenges the order passed by the learned trial Court dated 19.12.2018, whereby he was declared proclaimed offender.

Petitioner is stated to be accused in a criminal complaint filed under Section 138 of the Negotiable Instruments Act, 1881 for dishonour of cheque worth ₹4,60,00,000/-. Petitioner on appearance is alleged to have undertaken to settle the dispute for a sum of ₹5,00,00,000/- and thereafter handed over a fresh cheque which was again dishonoured. Petitioner stopped appearing and, therefore, he was declared proclaimed offender.

Learned counsel for the petitioner while referring to Annexure P-2, a report of Clinical Psychology Services, Department of Psychiatry, Government Medical College and Hospital, Sector-32, Chandigarh, dated 23.09.2019, submits that petitioner is not maintaining good mental health and, therefore, petitioner should be granted the indulgence.

Keeping in view the facts of the present case, this Court is not inclined to entertain the present petition under Section 482 Cr.P.C..

Let petitioner surrender before the trial Court and apprise the trial Court about the facts which have been pleaded in the present petition. If the petitioner surrenders, learned trial Court would make sincere endeavour to decide the application, if any, filed within a period of 10 days.

In view of the above, the present petition is disposed of.

22.10.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No