

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

131

CRM-M-43898-2019

Date of decision: 16.10.2019

Rajpal Singh

....Petitioner

versus

State of Punjab and another

....Respondents

CORAM: Hon'ble Mr. Justice Harinder Singh Sidhu

Present: Mr. Rajesh Bhatheja, Advocate
for the petitioner.

HARINDER SINGH SIDHU, J.

The present petition has been filed under Section 482 Cr.P.C. for quashing of impugned order dated 27.02.2019 (Annexure P-2) passed by learned Judicial Magistrate, Moga, whereby the petitioner has been declared as proclaimed person in a complaint case No.77 dated 15.12.2015 titled "Daljit Kaur vs. Rajpal Singh" under Section 138 of the Negotiable Instruments Act 1881 (Annexure P-1).

Learned counsel for the petitioner submits that he was summoned to face trial for the offence under Section 138 of Negotiable Instruments Act. The petitioner appeared before the learned Judicial Magistrate, Moga on 04.09.2017 and he was ordered to be released on bail. Thereafter, the petitioner was continuously appearing before the Court. However, on 09.01.2018, he could not appear before the Court as he was not well and his non-bailable warrants were issued but the said non-bailable warrants were

never executed because the petitioner was residing in Rajasthan for getting treatment of Hepatitis-C. On 27.02.2019, the petitioner has been declared proclaimed person. Learned counsel for the petitioner further states that absence of the petitioner was not intentional. He remained in the treatment at Bikaner (Rajasthan) and was advised bed rest and now he is ready to appear before the trial Court and to face trial.

The petitioner may appear before the learned trial Court. On his appearance, the trial Court shall release him on bail to its satisfaction. He shall continue to appear before the learned Court without any default.

Petition is disposed of accordingly.

(HARINDER SINGH SIDHU)
JUDGE

16.10.2019
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Whether speaking/ reasoned:	Yes
Whether Reportable:	Yes/No