

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

CRM-M-17191 of 2020 (O&M)

Date of Decision:03.09.2020

Buta Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. N.S. Dandiwal, Advocate for the petitioner.

Mr. A.S. Sandhu, Addl. A.G. Punjab

TEJINDER SINGH DHINDSA J.(Oral)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

Instant petition has been preferred under Section 482 Cr.P.C. seeking quashing of order dated 29.10.2019 (Annexure P-5) whereby the petitioner was declared a proclaimed person in complaint No.NACT-834 of 2017 dated 29.10.2017 under Sections 138 (b) and 142 of the Negotiable Instruments Act, 1881.

While issuing notice of motion, the following order was passed by this Court on 13.07.2020:-

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

Challenge in the instant petition is to the order dated 29.10.2019 (Annexure P-5) whereby petitioner has been declared as a proclaimed person in relation to proceedings under the Negotiable Instruments Act.

On the previous date of hearing, counsel had contended that just prior to the lockdown on account of Covid-

19 situation petitioner had already approached the complainant-Punjab Gramin Bank and pursuant to certain negotiations a total amount of Rs.63,000/- had been deposited with the complainant-bank so as to facilitate the regularization of the loan account. In this regard, counsel has made available for perusal of this court loan account statements.

In view of the above, counsel submits that the intent of the petitioner was not to evade the trial proceedings and he is even now ready and willing to join proceedings.

Notice of motion returnable for 03.09.2020.

In the meanwhile it is directed that in case petitioner puts in appearance before the Trial Court/Duty Magistrate within a period of 10 days from today, he would be entitled to ad interim protection as regards the arrest.”

It has gone uncontroverted that petitioner has duly appeared before the learned JMIC Moga on 18.07.2020 and has furnished personal bonds in a sum of Rs.50,000/-.

Since the petitioner has already joined the trial proceedings, the impugned order dated 29.10.2019 (Annexure P-5) would not hold good.

Instant petition is accordingly disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

03.09.2020

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No