

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-22579-2020

Date of Decision: 13.08.2020

Parvinder Kumar Sharma

.. Petitioner

Vs.

State of Haryana and another

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Narender Kaajla, Advocate for the petitioner.

...

Manoj Bajaj, J. (Oral)

This petition has been filed under Section 438 Cr.P.C. read with Section 482 Cr.P.C. for quashing the order dated 30.08.2019 (Annexure P-2) in Complaint No.2192/2017 under Section 138 Negotiable Instruments Act, 1881 titled as *Sahil Rana Vs Parvinder Kumar Sharma*, whereby petitioner was declared proclaimed person, as well as all other consequential proceedings arising therefrom including FIR No.131 dated 15.02.2020 under Section 174-A IPC, Police Station Ambala Cantt. (Annexure P-3).

Learned counsel for the petitioner contends that though the petitioner stood served in the above mentioned complaint, but he could not appear before the trial Court on 02.05.2018, as he forgot the date of hearing. He has further offered an explanation that because of mental stress caused by the family dispute, the petitioner failed to appear in the proceedings before the trial Court.

During the course of hearing, it is not disputed by the learned

counsel that the petitioner was effectively served and he was declared

proclaimed person on 30.08.2019, i.e. after more than a year from the date of his appearance, and the FIR No.131 was registered on 15.02.2020.

The above background of the case makes it amply clear that the petitioner was well aware of the case proceedings and, therefore, it was incumbent upon him to join the said proceedings. The sole ground of mental stress raised by the petitioner behind his absence for such a long period is not worth acceptance.

Resultantly, the petition is dismissed.

13.08.2020
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No