

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

(Heard through VC)

CRM-M-23180 of 2020 (O&M)
Date of Decision: August 18, 2020

Harjinder Singh

...Petitioner

Versus

Ravi Bansal

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Surinder Garg, Advocate
for the petitioner.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. for quashing of order dated 05.12.2019 passed by the Judicial Magistrate Ist Class, Panchkula in Criminal Complaint No.NACT-738/2015 dated 05.10.2015 under Section 138 of Negotiable Instruments Act, 1881 and under Section 420 of Indian Penal Code, titled as “Ravi Bansal vs. Kohinoor Broadcastings Corp. Ltd. and another, vide which the petitioner herein has been declared as proclaimed person.

Counsel for the petitioner herein would contend that the petitioner never came to know about the filing of the complaint as well as passing of the summoning order, as the address of the petitioner, as mentioned in the complaint, is that of his Company, which has already been

closed, as such, summons were never served upon the petitioner. It is also contended that even the name of the petitioner has been wrongly written as 'Harinder Singh' instead of 'Harjinder Singh', as such, the impugned order is liable to be set aside and the petitioner may be permitted to join the trial.

I have heard learned counsel for the petitioner and have through the pleadings of the case.

In view of the submissions made by learned counsel for the petitioner, this court deems it appropriate to dispose of this petition *in limine* by staying the operation of the impugned order limited for a period of two weeks. Within the said period, the petitioner herein will appear before the trial court/Duty Magistrate and will move an appropriate application for grant of regular bail in the matter, on which, the petitioner will be released on bail by the trial court/Duty Magistrate on furnishing the adequate bail bond and surety bonds to its satisfaction. In case, the petitioner herein fails to comply with the direction given by this court, any protection granted to him shall stand vacated.

The instant petition stands allowed accordingly.

August 18, 2020

vijay saini

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No