

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

(Heard through VC)

CRM- M-25218 of 2020 (O&M)

Date of Decision: September 01, 2020

M/s R.R.N. Sales Pvt. Ltd. through its Director Nishant Garg and another

..... Petitioner

VERSUS

Tej Partap Singh and another

.... Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present Mr. Alok Mittal, Advocate
 for the petitioner.

JAISHREE THAKUR, J.(Oral)

This is a petition that has been filed seeking quashing of order dated 02.07.2018 passed by the Judicial Magistrate 1st Class, Patiala in complaint case bearing No. COMA/4058/2016 dated 16.11.2016 whereby the petitioner has been declared a proclaimed person.

It is argued that the petitioner herein had initially put in an appearance before the Court below after he had been served in the said complaint. It is further argued that thereafter he was confined in Central Jail, Patiala in case FIR No.194 dated 29.09.2017, registered under Section 420 of Indian Penal Code at Police Station Civil Lines, Patiala, therefore, was not able to appear before the trial court. Therefore, due to non-appearance of the petitioner, he has been declared a proclaimed person in

the present case as well as in other cases. Be that as it may, learned counsel for the petitioner submits that the petitioner is in the process of settling all disputes and seeks that one opportunity be allowed to him to put in an appearance before the Court below as he is ready to face trial.

After hearing learned counsel for the petitioner, I deem it appropriate to dispose of the instant petition *in limine* and order to keep the impugned order dated 02.07.2018 in abeyance by staying the arrest of the petitioner for a period of two weeks to enable him to appear before the trial Court and move an appropriate application for having the impugned order set aside, which would be considered by the trial Court in accordance with law. He shall be admitted to interim bail to the satisfaction of the Court till disposal of P.O. proceedings.

It is made explicitly clear that in case the petitioner fails to surrender before the trial Court within the specified time, any interim protection allowed to him by this Court shall stand automatically vacated.

September 01, 2020

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**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes
No