

IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

SANJIV KUMAR SHARMA
2021/09/01 14:59
I attest to the accuracy and
authenticity of this document

CRM-M-35480-2021

Date of decision : 31.8.2021

Paras Sharma

..... Petitioner (s)

Versus

State of Punjab and others

..... Respondent (s)

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Nirbhay Singh, Advocate
for petitioner (s).

Mr. Sarabjit Singh Cheema, AAG Punjab.

(Through Video Conferencing)

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HARINDER SINGH SIDHU, J.

This is petition filed under Section 438 C.P.C. for quashing of order dated 9.1.2020 whereby petitioner has been declared a proclaimed person.

A complaint under Section 138 of Negotiable Instruments Act, 1881 has been filed against petitioner regarding dishonour of a cheque of amount of Rs. 220780/-. Petitioner was summoned vide order dated 28.7.2018. As he did not appear before the Court, warrants of arrest were issued against petitioner for securing his presence. Proclamation under Section 82 Cr.P.C. was issued. Thereafter, petitioner surrendered before the Court on 2.1.2019 and he was released on bail with the condition that he would appear before the Court on each and every date of hearing. However, petitioner absented himself from the Court on several dates, i.e. 7.3.2019, 6.4.2019 and 6.5.2019. Thereafter, proclamation proceedings were initiated against petitioner and he was declared a proclaimed person vide order dated 9.1.2020.

Learned counsel for petitioner states that non appearance of petitioner before the Court was not intentional. Infact his father died and he was in dire financial straits and could not arrange money required to be deposited before the Court. He is ready and willing to appear before the Court and face trial.

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Accordingly, petitioner may appear before the Court on or before 17.9.2021. On his doing so, he shall be released on interim bail by the Court to its satisfaction. This shall be subject to deposit of an amount of Rs. 20000/- (Rupees twenty thousand) with the Director PGI Poor Welfare Patient Fund. The petitioner would also submit an undertaking before the Court that he shall appear before the Court, as and when directed.

Disposed of.

(HARINDER SINGH SIDHU)
JUDGE

31.8.2021

sjks

Whether reasoned order : Yes / No

Whether reportable : Yes / No