

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

CRM-M-39424 of 2021

Date of Decision: 06.10.2021

Vikas Sud

.....Petitioner

Versus

State of Punjab and Anr.

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Narinder S Lucky, Advocate for the petitioner.

HARINDER SINGH SIDHU, J

The petitioner has assailed order dated 24.09.2019 passed by the learned Sub Divisional Judicial Magistrate, Phagwara, declaring him as proclaimed offender.

It is stated that the complainant had filed a complaint under Section 138 of the Negotiable Instruments Act against the petitioner. The complaint was initially filed in the court of learned JMJC Phagwara. However, the complaint was transferred to the court of learned ACJM, Kasauli, Solan (HP) and thereafter it was again transferred to the court of learned SDJM, Phagwara (Kapurthala).

Learned counsel for the petitioner states that the petitioner had no intention to evade the process of law. He was not aware of the pendency of the complaint and only because of this he could not appear on the date fixed. He undertakes to appear before the learned trial Court on any date to be fixed by this Court.

Notice of motion.

Mr. Harbir Sandhu, AAG Punjab, who is present in Court,

accepts notice on behalf of the respondent-State.

Having heard learned counsel for the parties and taking into account the facts of the present case, this petition is disposed of with the observation that the petitioner may appear before the learned trial Court on or before 08.11.2021. On his doing so, he shall be enlarged on bail by the trial Court subject to his furnishing bail bonds and surety bonds to its satisfaction. This shall, however, be subject to the petitioner depositing a sum of Rs.20,000/- in the PGIMER, Chandigarh, Poor Patients' Welfare Fund.

He shall also file an undertaking before the concerned Court to continue appearing as and when required apart from following all the terms and conditions fixed in this respect.

October 06, 2021
manoj

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No