

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

Sr. No.126

CRM-M-54302 of 2021

Date of Decision: 23.12.2021

Narinder Singh

.... Petitioner

Versus

Paramjit Singh and another

... Respondents

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present: Mr. H.P.S.Ghuman, Advocate
for the petitioner.

SANT PARKASH, J. (ORAL)

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of Criminal Complaint filed under Section 138 of Negotiable Instruments Act, bearing No.NACT/72/2017 dated 24.05.2017 pending in the Court of Chief Judicial Magistrate, Budhlada, District Mansa; summoning order dated 16.09.2017 (Annexure P-2) and order dated 09.10.2019 (Annexure P-3) vide which the petitioner has been declared as proclaimed person.

It is submitted that the present complaint was filed by the respondent No.1 on account of dishonouring of cheque dated 06.12.2016 amounting to Rs.1,15,000/-. Another cheque dated 20.04.2017 amounting to Rs.1,15,000/- was again dishonoured. However, learned counsel submits that the petitioner is ready to deposit Rs.50,000/- with the trial Court as the proceedings have been delayed on account of petitioner having been declared a proclaimed person on 09.10.2019. He further submits that the said amount may be adjusted towards the cheque amount, if the liability of the petitioner is held by the trial Court.

In view of the above, the present petition is disposed of and order dated 09.10.2019 passed by learned Sub Divisional Judicial Magistrate, Budhlada declaring the the petitioner as proclaimed person is set aside.

The petitioner is granted 30 days' time to appear before learned trial Court and deposit a sum of Rs.50,000/-, subject to final outcome of the case pending before trial Court.

For a period of 30 days, the arrest of the petitioner shall remain stayed.

**(SANT PARKASH)
JUDGE**

23.12.2021
Maninder

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No