

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

123

CRM-M-9887-2022

Date of Decision: 08.03.2022

Rakesh Kumar

....Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Dhruv Gupta, Advocate
for the petitioner.

HARINDER SINGH SIDHU, J.

Present petition has been filed under Section 482 Cr.P.C. seeking quashing of impugned order dated 05.03.2019 passed by learned Judicial Magistrate First Class, Amritsar whereby the petitioner has been declared proclaimed person in complaint case No. NACT/180/2018 under Section 138 of the Negotiable Instruments Act, 1881.

The complaint was instituted by respondent No.2 on the allegations of dishonor of cheque amounting to Rs. 1,00,000/- (One lac). Learned counsel for the petitioner states that the petitioner was not aware of the institution of the said complaint. No notice or summons were received by the petitioner in connection with the case. Even the bailable and non-bailable warrants were not executed. He further states that even proper publication was not effected. It was never the intention of the petitioner to evade the process of law. He states that the petitioner is ready to surrender before learned trial Court and face trial.

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 23.03.2022. On his doing so, he shall be released on interim bail by the trial Court subject to his furnishing bail bonds and surety bonds to its satisfaction.

This shall subject to deposit an amount of Rs.10,000/- (ten thousand) by the petitioner with the Director PGIMER, Chandigarh Poor Patient Welfare Fund.

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

[HARINDER SINGH SIDHU]
JUDGE

March 08, 2022

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Whether speaking/reasoned
Whether reportable?

Yes/no
Yes/no