

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-13859-2022

Date of decision : 1.4.2022

Beant Singh

..... Petitioner (s)

Versus

State of Punjab and another

..... Respondent (s)

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. P.S. Paul, Advocate
for petitioner.

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HARINDER SINGH SIDHU, J.

This petition has been filed under Section 482 Cr.P.C. seeking quashing of order dated 27.9.2016 (Annexure P-3) passed by learned trial Court in Criminal Complaint Case NACT No. 229/08/07/2015 titled as 'Gurpreet Singh Versus Beant Singh' filed under Section 138 of Negotiable Instruments Act, whereby petitioner has been declared a proclaimed person.

It is the case of petitioner that he had gone to Saudi Arabia on 29.1.2015 and returned back on 4.7.2016. The complaint was instituted on 7.7.2015. He was summoned vide order dated 30.7.2015. Consequently, he was not aware of the institution of complaint and no summons were received by petitioner. On account of his non appearance before trial Court, he was declared a proclaimed person by trial Court, vide order dated 29.7.2016 (Annexure P-3).

Learned counsel for petitioner states that it can never be the intention of the petitioner to evade the process of the Court. The petitioner would appear before the Court on any date as and when directed.

Learned counsel for petitioner states that the matter has now been compromised with complainant. The entire amount has been paid. In view thereof, complainant would file an application before competent court for withdrawing the complaint.

Notice of motion.

Mr. B.S. Sewak, Additional A.G. Punjab and Mr. Rajinder, Advocate accept notice on behalf of respondent-State and respondent No. 2 respectively.

The petitioner may appear before the Court on or before 6.4.2022. On his doing so, he shall be enlarged on interim bail by trial Court to its satisfaction. This shall however be subject to the petitioner depositing an amount of Rs. 10,000/- (Rupees ten thousand) with the Punjab and Haryana High Court Bar Association. The petitioner shall also file an undertaking to appear before the trial Court as and when directed.

(HARINDER SINGH SIDHU)
JUDGE

1.4.2022
sjks

Whether reasoned order : Yes / No

Whether reportable : Yes / No