

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

Sr. No. 114

CRM-M-1392-2023 (O&M)
Date of decision : 12.01.2023

Deepak

..... Petitioner

VERSUS

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. L.S. Dandiwal, Advocate, for the petitioner.

SUDHIR MITTAL, J. (Oral)

The petitioner is an accused in a case registered under Section 138 of the Negotiable Instruments Act, 1881. Bailable warrants were issued vide order dated 15.12.2021, but despite service, he did not appear on the next date of hearing i.e. 29.3.2022. Thus, warrant of arrest was issued, but could not be served. Vide order dated 23.9.2022, proclamation was directed and the petitioner was declared proclaimed person vide order dated 29.11.2022. Thus, the present petition has been filed for quashing of the said order.

The above chronology shows that the petitioner deliberately avoided putting in appearance before the Court. Thus, he is not entitled to grant of discretionary relief. However, keeping in view the interest of early disposal of the pending case, I deem it appropriate to pass orders as below.

Notice of motion to respondent No.1 only.

Mr. Himmat Singh, DAG, Haryana, accepts notice and waives service.

Considering the nature of the order being passed, issuance of notice to respondent No.2 is dispensed with.

The petition is disposed of with a direction to the petitioner to surrender before the trial Court on 19.01.2023 and seek regular bail. The same shall be decided by the concerned Court within two days.

(SUDHIR MITTAL)
JUDGE

12.01.2023
Ramandeep Singh

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