

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

2023:PHHC:087078

Date of Decision: 12.07.2023

1. CRM-M-3731-2023

Jaspal Singh

--Petitioner

Versus

Satinder Singh

--Respondent

2. CRM-M-3540-2023

Jaspal Singh

--Petitioner

Versus

Satinder Singh

--Respondent

3. CRM-M-2497-2023

Jaspal Singh

--Petitioner

Versus

Satinder Singh

--Respondent

CORAM:- HON'BLE MR. JUSTICE PANKAJ JAIN.

Present:- Mr. Ruhani Chadha, Advocate for the petitioner.

PANKAJ JAIN.J (Oral)

These three petitions arise out of three different complaints i.e. NACT Nos.7169 to 7171 dated 18.12.2018 filed against the petitioner, wherein the petitioner is facing prosecution for offence punishable under Section 138 of Negotiable Instruments Act. Petitioner on account of his non-appearance was ordered to be declared as Proclaimed Person vide order dated 6.7.2022.

This court vide order dated 17.1.2023 passed in CRM-M-2497-2023 had passed the following order:-

“By way of this petition filed under Section 482 Cr.P.C., petitioner prays for quashing the order dated 07.11.2022 (Annexure P-3) passed by learned Judicial Magistrate 1st Class, Jalandhar, whereby he was declared

proclaimed person in a complaint case bearing NACT No.7169, dated 18.12.2018, titled as “Satinder Singh vs Jaspal Singh and another”.

Perusal of the paper book reveals that the petitioner was earlier on bail. Due to his non-appearance, his bail was cancelled on 24.11.2021. His presence could not be procured despite issuance of warrants of arrest. Ultimately, proclamation under Section 82 Cr.P.C. was issued on 06.07.2022 and he was declared as proclaimed person by way of impugned order.

Learned counsel submits that the petitioner is ready to surrender before the Trial Court and that the matter has been compromised with the respondent-complainant.

Notice of motion for 15.03.2023.

In the meantime, the petitioner shall surrender before the Trial Court on or before 06.02.2023. The learned Trial Court shall revive the proceedings and consider the bail petition, if so moved on the same date. The Trial Court will be at liberty to initiate proceedings under Section 446 Cr.P.C. In the meanwhile, if the petitioner is sought to be arrested, in view of the fact that he has been declared a proclaimed person, he shall be admitted to interim bail to the satisfaction of the arresting officer. In case, the petitioner does not make compliance of the order, the same shall be deemed to be vacated.”

Learned counsel for the petitioner has produced copies of orders passed in all the three complaints, whereby bail/surety bonds furnished by petitioner have been accepted by the Trial Court.

In view of the fact that petitioner has appeared before the Trial Court and stands admitted to bail, nothing survives for adjudication in these three petitions.

Resultantly order dated 17.1.2023 passed by this court is made

absolute subject to undertaking given by the petitioner that he would keep

on appearing regularly before the Trial Court on each and every date.

Disposed of.

A photocopy of this order be placed on each connected file.

(PANKAJ JAIN)
JUDGE

12.07.2023
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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No