

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

CRM-M No.11105 of 2023
Date of decision: 2nd March, 2023

Ravi Shankar & another

... Petitioners

Versus

State of Haryana & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. S.K. Tripathi, Advocate for the petitioners.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioners are praying for quashing of the order dated 23.01.2023 (Annexure P-4) passed by the Court of learned Judicial Magistrate 1st Class, Faridabad vide which they were declared proclaimed offenders in criminal complaint No.NACT 7535 dated 26.06.2018 titled as 'M/s S.B. Industrial Enterprises vs. M/s Go Green Renewable Energies Pvt. Ltd.' under Sections 138, 142 of the Negotiable Instruments Act, 1881 and Section 420 IPC.

Learned counsel for the petitioners submits that the matter already stands compromised between the parties and which fact stands duly incorporated in the orders dated 16.03.2020 passed by the learned trial Court. He further submits that the petitioners have already paid and cleared the cheque amount to the respondent No.2, still they have been declared proclaimed offenders vide the impugned order by the learned trial Court. Learned counsel submits that the petitioners are

ready to appear and surrender before the trial Court, and therefore, they be protected till then.

Notice of motion to the official respondent.

On the asking of Court, Mr. Chetan Sharma, Assistant Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondent/State. Let a copy of the paper book be supplied to him.

I have heard learned counsel for the parties and perused the relevant material on record.

In view of the limited prayer made by the learned counsel for the petitioners, the petition is disposed of with direction to the petitioners to appear and surrender before the trial Court within seven days from today and move appropriate application for grant of bail. Till then, no coercive steps shall be taken against the petitioners. The trial Court, on such application being moved, shall decide it expeditiously, preferably within 2 days, in accordance with the provisions of law. However, it is made clear that in case the petitioners fail to surrender before the Court below within the above stipulated time period, this order shall be of no avail to them.

(MANJARI NEHRU KAUL)
JUDGE

March 2, 2023
rps

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