

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

121

CRM-M-9812-2023

Date of decision: 23.02.2023

Gurjant Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking quashing of order dated 03.10.2022 (Annexure P-3) vide he was declared a proclaimed offender by the Trial Court in Criminal Complaint bearing NACT No.180 dated 13.03.2020 under Section 138 of the Negotiable Instruments Act, 1881 titled as 'M/s Hem Raj Ramesh Kumar Vs. Gurjant Singh'.

Learned counsel for the petitioner submits that on 16.07.2022 the petitioner could not appear before the Trial Court as he was not informed about the date by his counsel which led to cancellation of his bail/surety bonds and issuance of non-bailable warrant of arrest against him. He submits that the non-bailable warrants were received back unexecuted and proceedings under Section 82 of the Cr.P.C. were initiated against the petitioner, who ultimately was declared a proclaimed offender vide the impugned order. He further submits that however, the petitioner was willing and ready to appear, and surrender before the Trial Court. Hence, in the aforementioned facts and circumstances, the petitioner be protected till his appearance before the Trial Court and with directions to the Trial Court that his bail

application, which he would be filing on his surrender, be decided expeditiously.

Notice of motion.

On asking of the Court, Mr. Ramdeep Partap Singh, Sr. DAG, Punjab accepts notice on behalf of respondent No.1-State.

In view of the limited prayer made by the learned counsel for the petitioner, the instant petition is disposed of with directions to the petitioner to appear and surrender before the Trial Court within 07 days from today. Till then, no coercive steps be taken against the petitioner.

It is made clear that in case, the petitioner fails to surrender before the Trial Court within 07 days from today, this order shall be of no avail to him. In case, on appearance and surrender, the petitioner moves an application for bail before the Trial Court, the same shall be decided expeditiously by the Trial Court in accordance with law.

23.02.2023

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(MANJARI NEHRU KAUL)
JUDGE

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