

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-10839-2019

Date of decision :25.04.2023

GURJIT SINGH

... Petitioner(s)

Versus

STATE OF PUNJAB AND ANOTHER

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: None for the petitioner(s).

Ms. Navreet Kaur Barnala, Asstt. A.G., Punjab.

JASJIT SINGH BEDI, J. (ORAL)

The prayer in the present petition under Section 482 Cr.P.C. is for quashing/modification the order dated 02.02.2018 (Annexure P-2) passed by the JMIC, Ferozepur in complaint No.NACT-164/17 dated 02.03.2017 titled as 'Harnek Singh Versus Parwinder Trading Co.' under Section 138 of Negotiable Instruments Act.

On 08.03.2019, the following order was passed:-

“The petitioner has been declared as proclaimed person vide order dated 2.2.2018 (P2) in a complaint filed under Section 138 of the Negotiable Instruments Act, 1881.

Learned counsel for the petitioner submits the petitioner was abroad and was never served in the complaint. The offence is bailable and the petitioner is willing to join the trial.

Notice of motion for 12.7.2019.

Meanwhile, the petitioner is directed to surrender before the trial Court on or before 15.3.2019 and move an application for regular bail. On his doing so, the trial Court shall grant him regular bail subject to its satisfaction.

Thereafter, on 12.07.2019, the following order was passed:-

“As per office report, respondent No. 2 has refused to accept the notice. His service be effected through affixation.

Affidavit regarding compliance of order dated 08.03.2019 be filed. List on 04.10.2019.”

The matter has been called twice. However, no one has put in appearance on behalf of the petitioner. It appears that the petitioner is not interested in pursuing the present petition.

In view of the above, the present petition is hereby dismissed for non-prosecution with liberty to the petitioner to file an application for revival thereof in case, any cause of action still subsists.

(JASJIT SINGH BEDI)
JUDGE

25.04.2023
JITESH

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No