

2023:PHHC:140432

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

CRM-M-11903 of 2020
Date of Decision:- 03.11.2023

Jatinder Singh

...Petitioner

Versus

Sukhraj Singh

...Respondent

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr.S.L.Chander Shekhar, Advocate
for the petitioner.

Jasjit Singh Bedi, J. (Oral)

Prayer in this petition is for quashing of order dated 29.04.2019 (Annexure P-4) passed by learned Judicial Magistrate 1st Class, Amritsar vide which petitioner has been declared proclaimed person in a complaint case No. NACT 8088/2017 dated 20/31.10.2017 tilted as Sukhraj Singh Vs. Jatinder Singh filed under Section 138 of the Negotiable Instrument Act in illegal and arbitrary manner.

On 20.03.2023, the following order was passed:-

“Learned counsel for the petitioner states that the petitioner has been declared as proclaimed person in terms of order dated 29.04.2019. He further contends that the petitioner is actually residing in House No. 276, Darshan Avenue, Link Road, Sultanwind Road, Amritsar and the same has been reflected in Adhar Card, copy whereof is Annexure P-2. However, in the complaint, a different address of the petitioner has been mentioned.

Notice of motion, returnable on 23.07.2020.

In the meanwhile, it is directed that the petitioner shall surrender before the learned trial Court/Duty Magistrate within a period of 15 days and on his doing so, he shall be admitted on interim bail to the satisfaction of that Court and on his doing so, the order dated 29.04.2019 shall remain in abeyance.”

Despite multiple opportunities given to the petitioner to place on record the zimni order to show as to whether the petitioner has

complied with the aforementioned order, he has refused to do so. On the other hand, he states that the complaint has been consigned to the record which only goes to show that the petitioner is still absconding and therefore no proceedings can take place in his absence

In view of the above, I find no merit in the present petition and the same stands dismissed.

03.11.2023
sd

(JASJIT SINGH BEDI)
JUDGE

Whether speaking/reasoned: Yes/No.

Whether reportable: Yes/No.