

CRM-M-18247-2023

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

**CRM-M-18247-2023
DECIDED ON: 17.04.2023**

NAMIT AGGARWAL AND OTHERS**.....PETITIONERS**

VERSUS

STATE OF HARYANA**.....RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.****Present:** Mr. Pardhuman Garg, Advocate for the petitioners.

Mr. Akashdeep Singh, Addl. P.P., U.T., Chandigarh.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court under Section 482 has been invoked for quashing of order dated 02.11.2022 (Annexure P-1) passed by Ld. Chief Judicial Magistrate, Chandigarh in Complaint No. NACT/14643/2019 dated 29.08.2019 filed under Section 148(8) of Companies Act, 2013, vide which the petitioners has been declared Proclaimed Offenders.

Learned counsel for the petitioners contends that the impugned order dated 02.11.2022 was passed by the Chief Judicial Magistrate, Chandigarh declaring the petitioner as proclaimed offender merely on the ground that he failed to file a Cost Audit Report but the same has been deposited as is evident from para 8 of the complaint under Section 148 (8) of the Companies Act, 2013 read with Section 147(1) etc.

In the light of the admitted fact that the petitioner has deposited the Cost Audit Report as is evident from the pleadings of the complaint itself, no useful purpose would be served by continuation of the order dated 02.11.2022 whereby the petitioner was declared as proclaimed offender.

It is also taken note of the fact that the appearance of the petitioner will only facilitate the further progress of the trial and no prejudice would be caused to either of the parties.

In view of the aforesaid reasons as discussed hereinabove, the order dated 02.11.2022 is set aside with a direction to the petitioner to surrender before the trial Court and move an application for regular bail. In case any such application for regular bail is moved, the same shall be considered and decided on the very same day in accordance with law.

The present petition stands disposed of.

(SANDEEP MOUDGIL)
JUDGE

17.04.2023

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Whether speaking/reasoned: *Yes/No*

Whether reportable: *Yes/No*