

CRM-M-15622-2022

Date of Decision: 16.02.2023.

VINOD KUMAR

... PETITIONER

VS.

STATE OF HARYANA

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr.P.K.Ganga, Advocate, for the petitioner.  
Mr. Surinder Kumar Dagar, DAG, Haryana.

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VIVEK PURI, J.(ORAL)

The petitioner is seeking to set aside the order dated 25.01.2022 vide which the property has been attached and he has been declared as proclaimed offender.

On 18.04.2022, the following order was passed:-

“Learned counsel for the petitioner, *inter alia*, contends that in the present case, the petitioner is the surety to the extent of Rs.1,00,000/- and he is ready to pay the said amount within a period of three months from today. It is further submitted that an amount of Rs.50,000/- would be deposited by the petitioner on or before 23.05.2022, which is the next date of hearing before the trial Court. It is also submitted that the petitioner will appear before the learned trial Court on 23.05.2022.

Notice of motion for 30.05.2022.

In the meantime, the operation of impugned order dated 25.01.2022 (Annexure P-5), to the extent that the petitioner is declared as proclaimed offender and also to the extent that a direction has been given to lodge FIR against the petitioner, is stayed, subject to the petitioner deposit an amount of Rs.50,000/- in the treasury on or before 23.05.2022 and also subject to the petitioner appearing before the trial Court on 23.05.2022.

It is made clear that in case the petitioner fails to deposit an amount of Rs.50,000/- up to 23.05.2022, then the present petition would be deemed to have been dismissed.”

It has been specifically mentioned in the aforesaid order that in the event, the petitioner fails to deposit an amount of Rs.50,000/- up to 23.05.2022, the petition would be deemed to have been dismissed. It has been conceded that the amount of Rs.50,000/- has not been deposited till date. As such, the petition stands dismissed.

16.02.2023

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(VIVEK PURI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No