

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

[CRM-M-21109-2023](#)

Date of decision: 27.04.2023

Vinod Kumar and others

.....Petitioners

versus

M/s A.K. Dyeing and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Tanmoy Gupta, Advocate
for the petitioners.

SANDEEP MOUDGIL, J. (ORAL)

In the instant petition, the order dated 04.10.2022 (Annexure P-4) has been assailed passed by the learned JMIC, Ludhiana, whereby, the petitioners were declared as proclaimed offender. It is the assertion made by learned counsel for the petitioners that they were never served as the record reflect that the summons in the said case have been issued at the address of the Company which is already under winding up and the petitioners are not available in the said address.

However, without going into the controversy further submissions made by learned counsel for the petitioners that they are ready and willing to surrender before the trial Court in complaint under Section 138 of the Negotiable Instruments Act, filed on account of the absence of the persons.

In view of the above facts and circumstances, the present petition is allowed and impugned order dated 04.10.2022 (Annexure P-4) is set aside subject to the petitioners surrendering before the trial Court within a period of two weeks. It is further made clear that in case, the petitioners move any application for regular bail, the same shall be considered by the trial Court expeditiously.

**(SANDEEP MOUDGIL)
JUDGE**

27.04.2023

Neha

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