

CRM-M-21306 of 2023

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-21306 of 2023
Date of Decision:28.04.2023.

M/s Harshit Crane and Logistics Services and another

.....Petitioners

Versus

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Ms. Ashmita Goel, Advocate
for the petitioners.

VIKRAM AGGARWAL, J. (ORAL)

1. Challenge in the present petition is to the order dated 09.01.2023 (Annexure P-7) vide which warrants of arrest have been issued by the Judicial Magistrate Ist Class, Gurugram, to procure the presence of the petitioners in a complaint under Section 138 of the Negotiable Instruments Act, 1881.

2. Learned counsel submits that the proper procedure was not followed by the trial Court. Reference has been made to the order dated 17.02.2020 (Annexure P-4) vide which non-bailable warrants were ordered to be issued without service of bailable warrants. Learned counsel very fairly submits that the petitioner is willing to submit to the jurisdiction of the trial Court but apprehends that in the meantime non-bailable warrants may be executed and the petitioner may be arrested. She submits that the petitioner shall surrender before the trial Court on or before the next date i.e.06.05.2023.

3. In view of the contention that the petitioner is willing to submit to the jurisdiction of the trial Court, the present petition is disposed of with a direction

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that non-bailable warrants shall not be executed till 06.05.2023 to enable the petitioner to surrender before the trial Court on 06.05.2023. However, in case the petitioner does not surrender before the trial Court on 06.05.2023, the trial Court shall be at liberty to proceed further in accordance with law.

April 28th, 2023
Rekha

(VIKRAM AGGARWAL)
JUDGE

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