

2023:PHHC:066286

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

CRM-M-23388 of 2023

Date of Decision: May 09, 2023

Pardeep Kumar ...Petitioner
Versus
Surender Singh and another ...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Devender Arya, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

Prayer in this petition is to quash order dated 09.12.2022 (Annexure P.3) whereby warrants of arrest were directed to be issued against the petitioner; and order dated 10.03.2023 (Annexure P.4) whereby proclamation under Section 82 Cr.P.C was directed to be issued, in a complaint case bearing No.NACT-464 of 2022 titled “Surender Singh Vs. Pradeep Kumar”.

The only contention made by learned counsel for the petitioner is that the petitioner is ready to surrender before the trial Court and that he be granted interim protection.

It is noticed that after being summoned to face trial under Section 138 of the Negotiable Instruments Act vide order dated 13.06.2022 (Annexure P.2), notice upon the petitioner was served for 09.12.2022 but he failed to appear due to which warrants of arrest and then proclamation was issued.

This petition is hereby disposed of with a direction to the petitioner to surrender before the trial Court on or before 02.06.2023, the date already fixed thereat. On his such appearance, the Court shall consider his bail application. However, this order is subject to cost of

₹5,000/- to be paid by the petitioner to the complainant- respondent by way of a bank draft. In case petitioner does not surrender before the trial Court on or before 02.06.2023 and does not pay the cost as per this order, this petition shall be deemed to have been dismissed. It is also directed that if during this period, petitioner is sought to be arrested on account of proclamation having been issued against him, then he shall be admitted to interim bail to the satisfaction of arresting Officer.

Disposed of.

May 09, 2023

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(DEEPAK GUPTA)

JUDGE

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