

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-28712-2023

Date of Decision:-25.07.2023

Anil Yadav.

.....Petitioner.

Versus

State of Haryana & Anr.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Mahir Sood, Advocate for the Petitioner.

Mr. Neeraj Poswal, AAG Haryana.

Mr. Gaurav Goel, Advocate with
Mr. Navjit Singh, Advocate for respondent no.2.

JASJIT SINGH BEDI, J.(ORAL)

On 02.06.2023 the following order was passed:-

“ Learned counsel for the petitioner submitted that non-bailable warrants were issued against the petitioner and as per order dated 04.04.2020 (Annexure P-8) the process could not be issued by the Ahlmad and, thereafter, the non-bailable warrants were again issued and ultimately these warrants could not be executed as the petitioner was not present at his residence and proclamation warrants have been ordered to be issued under Section 82/83 Cr.P.C for 09.06.2023. The petitioner is ready to join the proceedings and only on account of the fact that the process could not be executed it was unable to appear before the trial Court. He further submits that there were other complaints by the same respondents under Section 138 Cr.P.C against the relatives of the petitioner who have been granted the interim protection and Ms. Sarita Yadav in CRM-M-21224-2023, Samey Singh in CRM-M-20676-2023 and Bina Yadav in CRM-M-21360-2023 have been granted interim protection vide orders dated 04.05.2023,

26.04.2023 and 28.04.2023 respectively.

Notice of motion for 25.07.2023.

Mr. Munish Sharma, Advocate accepts notice on behalf of respondent No.1 and submitted that the proceedings are regarding dishonor of the cheque amounting to Rs.4.27 crore dated 31.01.2019. The summoning order was passed on 30.05.2019 and since then the petitioner has been evading service and they have approached this Court only when the proclamation orders were issued under Section 82, 83 Cr.P.C.

Without commenting on any merit of the case, petitioner is directed to join the proceedings before the trial Court on or before 09.06.2023 and would continue appearing in the trial Court, in that event petitioner shall be released on interim bail to the satisfaction of the trial Court/Duty Magistrate. However, with regard to the delay caused by the petitioner in the appearance before the trial Court, it would be justified to impose a cost of Rs.50,000/- out of which Rs. 25,000/- is to be paid in the benevolent fund of Punjab and Haryana High Court and Rs.25,000 to the Poor Patient Welfare Fund, PGI.”

The Counsel for the petitioner states that in deference to the aforesaid order the petitioner has surrendered himself before the Trial Court and has since been released on interim bail.

In view of the above, no further orders are required to be passed by this Court.

Disposed of.

However, it is expected that the petitioner shall continue to appear before the Trial Court and not absent himself from the proceedings without sufficient cause.

(JASJIT SINGH BEDI)
JUDGE

July 25, 2023
Vinay

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