

CRM-M-40878-2021

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(122-2)

CRM-M-40878-2021

Date of decision:- 11.12.2023

Chandarana Hitesh Chandrakantbhai @ Hitsh Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Munfaid Khan, Advocate
for the petitioner.

SUVIR SEHGAL, J. (Oral)

1. By way of present petition filed under Section 482 of the Code of Criminal Procedure, 1973, petitioner is seeking quashing of order dated 04.06.2018, Annexure P-3, passed by the learned Judicial Magistrate, Faridabad, whereby he was declared as a proclaimed person and also the FIR bearing No.0692 dated 08.07.2018, registered for offence under Section 174-A, IPC at Police Station Ballabhgarh City, District Faridabad, Annexure P-4, along with all subsequent proceedings arising therefrom.

2. On 07.08.2023, this Court passed the following order:-

“Learned counsel for the petitioner submits that during the pendency of complaints under Section 138 of Negotiable Instruments Act, petitioner was declared as a proclaimed person vide the impugned orders Annexure P3. He submits that both the complaints were settled and withdrawn by the complainant vide orders Annexure P6.

Counsel for the petitioner submits that the petitioner is ready to surrender before the trial Court and deposit cost as are imposed by this Court.

List on 6.9.2023.

Let the petitioner appear/surrender before the trial Court within a period of three weeks from today.

In case the petitioner appears/surrenders before the trial Court within the time granted by this Court, he shall be released on interim bail on his furnishing bail/surety bonds to the satisfaction of the Court concerned. This shall be subject to deposit of consolidated cost of Rs.30,000/- with the PGIMER, Chandigarh, Poor Patient Welfare Fund, which shall be a condition precedent to the release of the petitioner on bail.

A photocopy of this order be placed on the connected case file.”

3. Counsel for the petitioner submits that he does not have any instructions as to whether the petitioner has complied with the order.
4. In view of the above, taking a lenient view, petition is disposed of with a direction to the petitioner to surrender before the Trial Court within three weeks from today if not done so far, subject to fulfillment of the condition laid down by this Court in the above reproduced order. In case, petitioner surrenders within the extended time, appropriate orders will be passed by the trial Court and the impugned order as well as consequential FIR, Annexure P-4, shall be deemed to have been quashed. However, in case, the petitioner fails to surrender within the aforesaid period, petition shall be treated to have been dismissed.

(SUVIR SEHGAL)
JUDGE

11.12.2023
Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No