

CRM-M-37476-2023

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(119)

CRM-M-37476-2023

Date of decision:- 02.08.2023

Billu Singh

...Petitioner

Versus

Rakesh Sethi

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Durga Dutt Sharma, 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 has approached this Court for quashing of order dated 09.09.2022, Annexure P-6, whereby he has been declared as a proclaimed person.

2. Counsel for the petitioner submits that the respondent had instituted a complaint under Section 138 of the Negotiable Instruments Act, 1881 against the petitioner on the allegation that the petitioner had issued a cheque of Rs.1.80 lacs for a legally enforceable debt, which was dishonoured on account of insufficient balance. Counsel submits that the petitioner was neither aware of the institution of the complaint nor was he ever served in the proceedings. He submits that the petitioner resides out of

his native village and even though a proclamation is claimed to have been effected on his premises, but he did not come to know about it. In order to show his *bonafides*, counsel submits that the petitioner is prepared to join the proceedings within any reasonable time granted by this Court as also deposit cost as this Court deems reasonable.

3. Considering the prayer made by the counsel for the petitioner, this Court, at this stage, does not deem it appropriate to issue notice to the respondent.

4. As the petitioner has made an offer that he will join the proceedings, it is ordered that in case the petitioner surrenders before the Trial Court within a period of three weeks from today and joins the proceedings, he shall be released on bail on his furnishing bail/surety bonds to the satisfaction of the Court concerned. This will be subject to deposit of cost of ₹10,000/- with the Poor Patient Welfare Fund, PGIMER, Sector-12, Chandigarh, which shall be a condition precedent to the release of the petitioner on bail.

5. Petition is disposed of.

(SUVIR SEHGAL)
JUDGE

02.08.2023

Kamal

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