

Neutral citation No.:2023:PHHC:066757
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

246

CRM-M-45278-2022

Date of Decision: 09.05.2023

Rajesh Anand through wife Arti Anand
Versus

....Petitioner

U.T. Chandigarh and another

....Respondents

CORAM:HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Harinder Deep Singh Bains, Advocate
for the petitioner.

Mr. Akashdeep Singh, Additional PP, UT Chandigarh.

ANOOP CHITKARA, J.

Seeking quashing of the order dated 13.07.2022 passed by the learned Judicial Magistrate, Ist Class, Chandigarh, in NACT 17859/2018, vide which the petitioner was declared proclaimed offender in a complaint filed u/s 138 of NI Act, the petitioner through his wife, has come up before this Court.

2. Counsel for the petitioner submits that on accused getting mental sickness, an application under Section 329 CrPC was filed by his guardian which is still pending and in the meantime, the accused was declared proclaimed offender. Counsel for the accused further submits that the order dated 29.09.2022 has been complied with.

3. Given the fact that the application was filed under Section 329 CrPC and it is undisputed that the accused had mental sickness, as such, order dated 13.07.2022 is quashed and set aside.

4. Petition is allowed in the terms mentioned above. Pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

09.05.2023
anju rani

Whether speaking/reasoned
Whether reportable?

Yes/no
Yes/no