

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

CRM-M No.46092 of 2023
Date of decision: 14th September, 2023

Gaurav Sharma

... Petitioner

Versus

UT Chandigarh

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Jagraj Singh, Advocate for
Mr. Arav Gupta, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking quashing of order dated 01.10.2021 (Annexure P-11) passed by the trial Court vide which he has been declared a proclaimed person in case bearing No. NACT/4474/2019 titled as 'Mahindra & Mahindra vs. Gaurav Sharma'.

2. Learned counsel for the petitioner submits that the petitioner had been impleaded with wrong address and service could never be effected upon him. He submits that thereafter, bailable and non-bailable warrants of his arrest had also been issued and finally vide order dated 01.10.2021 the petitioner has been declared a proclaimed offender. Learned counsel submits that it was thus, for a genuine reason that the petitioner was unable to put in an appearance before the Court. At the outset, learned counsel for the petitioner submits that the petitioner is

ready to appear and surrender before the trial Court, and therefore, he be protected till then.

3. Notice of motion.

4. Mr. Amit Kumar, APP UT Chandigarh, who is present in Court, accepts notice on behalf of the respondent/UT.

5. I have heard learned counsel for the parties and perused the relevant material on record.

6. In view of the limited prayer made by the learned counsel for the petitioner, the petition is disposed of with direction to the petitioner to appear and surrender before the trial Court within seven days from today and move appropriate application for grant of bail. Till then, no coercive steps shall be taken against the petitioner. The trial Court, on such application being moved, shall decide it expeditiously, in accordance with the provisions of law. However, it is made clear that in case the petitioner fails to surrender before the Court below within the above stipulated time period, this order shall be of no avail to him, thereafter.

(MANJARI NEHRU KAUL)
JUDGE

September 14, 2023
rps

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