

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

CRM-M No.46037 of 2023
Date of decision: 14th September, 2023

Ved Parkash

... Petitioner

Versus

State of Punjab & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Karan Singla, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking quashing of order dated 13.02.2023 (Annexure P-1) passed by the trial Court vide which he has been declared a proclaimed person in case bearing No. NACT/93/2022 instituted on 12.07.2022 under Section 138 of the Negotiable Instruments Act, 1881.

2. Learned counsel for the petitioner submits that the petitioner could not appear before the trial Court as he was suffering from some ailments. He submits that thereafter, bailable and non-bailable warrants of his arrest had been issued and finally vide order dated 13.02.2023 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. I have heard learned counsel for the petitioner and perused the relevant material on record.

4. 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