

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-51341-2022
Date of Decision: 31.1.2023

Virender Singh Sarpanch

....Petitioner

VERSUS

Suresh Kumar and another

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Amarjit Beniwal, Advocate for
Mr. Jagjeet Beniwal, Advocate, for the petitioner.

KARAMJIT SINGH, J. (Oral)

Present petition has been filed seeking quashing of order dated 30.7.2022 (Annexure P-5) passed by learned Judicial Magistrate, 1st Class, Jind whereby the petitioner is declared as a proclaimed person in criminal complaint titled Suresh Kumar v. Virender Singh Sarpanch filed under Section 138 of Negotiable Instruments Act.

Counsel for the petitioner submits that the impugned order is not passed in consonance with the provisions of Section 82 of Cr.P.C. and further, the petitioner is ready to pay the entire cheque amount of ₹ 30,000/- to the opposite party before the learned trial Court.

In view of above, the present petition is hereby allowed and the impugned order is set aside subject to the condition that the petitioner should appear before the learned trial Court on or before the next date fixed in the trial Court and to handover demand draft of ₹ 30,000/- to the complainant against proper receipt and on doing so, the petitioner is to be released on regular bail by the learned trial Court to its own satisfaction. However, if the petitioner fails to comply with the aforesaid directions, the present petition will be deemed to have been dismissed.

(KARAMJIT SINGH)
JUDGE

January 31, 2023
Paritosh Kumar

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No