

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

**CRM-M-57619-2022
DECIDED ON: 16.01.2023**

SURENDER SHARMA

.....PETITIONER

VERSUS

STATE OF HARYANA AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Sachin Gupta, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

Learned counsel for the petitioner contends that 18.01.2020 was the sole date when he could not appear and thereafter due to covid, the proceedings were not being conducted as was being under impression given to the petitioner by his counsel.

Learned counsel for the petitioner further asserts that due to some communication gap between the counsel and the petitioner, the proceedings could not be followed and as such the petitioner remain absent under a bona fide error which was neither intentional nor wilful.

Learned counsel for the petitioner also states that the petitioner is ready to surrender before the Court below after issuance of the order declaring as proclaimed person vide order dated 06.03.2020 by the JMIC, Kaithal.

Notice of motion.

On the asking of Court, Mr. Ashok Kumar Sehrawat accpets notice and states that the petitioner is deliberately avoiding the process of

Court from the last more than three years and it is not believable that he was not in contact with his counsel for such long period and in fact such act was deliberate and intentional on behalf of the petitioner.

However, be that as it may, since the case pertains to financial liability against the petitioner and he has been declared as proclaimed offender will definitely avoid the further appearance in the Court which may delay the proceedings in the Court below.

Considering the aforesaid facts and the circumstances prevailing in the present case, the petitioner is directed to surrender before the trial court without any further delay within a period of one week from today. In case any such application for delay is moved, the same may be considered by the Court below expeditiously in accordance with law.

Disposed off.

(SANDEEP MOUDGIL)
JUDGE

16.01.2023

Meenu

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>