

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

CRM-M-61067-2022

Date of decision : 01.02.2023

Malkiat Singh

.....Petitioner

versus

Ram Singh and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Ashok Paul Batra, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

Prayer in the present petition is for quashing of order dated 08.06.2022 passed in a criminal complaint under Section 138 of Negotiable Instruments Act No. NACT/62/2019 dated 11.02.2019 by Judicial Magistrate Ist Class, Rupnagar vide which, the petitioner was declared proclaimed person, and all other subsequent proceedings.

Learned counsel for the petitioner has submitted that the complainant as per order dated 27.01.2022 passed by JMIC, Rupnagar appears to have wrongly stated that the petitioner is residing at the given address. He has further submitted that the petitioner was never served through summons or bailable warrants and he was declared proclaimed person. He submits that the matter has been amicably settled between the parties and the petitioner is ready to join the proceedings.

After hearing learned counsel for the petitioner and perusing the record, this Court is of the view that the present petition can be disposed of today itself without issuance of notice to the complainant as resorting to that process will result in wastage of time. So keeping in view

the abovesaid contentions, the present petition is disposed of and the

order dated 08.06.2022 is *set aside* subject to payment of Rs.35,000/- as costs to be deposited with the Poor Patients' Welfare Fund, PGIMER, Chandigarh by the petitioner within a week from today. In case, the petitioner appears and surrenders before the Court concerned within a period of 10 days from today and produce receipt of abovesaid costs and files an application for bail, the Court concerned would consider and decide the same within three days thereafter in accordance with law. He will have protection from arrest for a period of 10 days from today.

Needless to say that in case the petitioner fails to comply with the abovesaid direction, he will have no benefit of abovesaid protection granted by this Court and order under challenge dated 08.06.2022 would come in force.

01.02.2023
m. sharma

(RAJESH BHARDWAJ)
JUDGE

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