

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

133

2023:PHHC:164586

CRM-M-64411-2023

Date of decision: December 21st, 2023

Iqbal Singh

.....Petitioner

Versus

M/s Birbal Dass Hem Raj and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Navinder Jit Singh Dandiwal, Advocate
for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking quashing of order dated 04.02.2023 (Annexure P-4) passed by learned Judicial Magistrate 1st Class, Moga, whereby the petitioner had been declared as proclaimed offender in case No.NACT/122/2021 titled as M/s Birbal Dass Hem Raj Versus Iqbal Singh under Sections 138, 142 of the Negotiable Instruments Act, 1881.

2. Learned counsel for the petitioner at the outset submits that the petitioner is ready and willing to appear and surrender before the trial Court. Hence, in the aforementioned facts and circumstances, petitioner be protected till his appearance before the trial Court and with directions to the trial Court that his bail application, which he would be filing on his surrender, be decided expeditiously.

3. Notice of motion.

4. On asking of the Court, Ms. Swati Batra, Deputy Advocate General, Punjab accepts notice on behalf of respondent No.2-State.

5. In view of the limited prayer made by the learned counsel for the petitioner, the instant petition is disposed of with directions to the petitioner to appear and surrender before the trial Court within seven days from today. Till then, no coercive steps be taken against the petitioner.

6. It is made clear that in case, the petitioner fails to surrender before the trial Court/Illaqa Magistrate within seven days from today, this order shall be of no avail to him thereafter. In case, on appearance and surrender, the petitioner moves an application for bail before the trial Court/Illaqa Magistrate, the same shall be decided expeditiously by the trial Court/Illaqa Magistrate in accordance with law.

December 21st, 2023

Puneet

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No