



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

287

CRM-M-8511-2024 (O&M)

Date of decision: 14.11.2024

Manish Bagrodia

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Satwant Singh Rang, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

Mr. Shrenik Jain, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking quashing of order dated 15.11.2021 (Annexure P-3) vide which he was declared a proclaimed person and order dated 22.09.2022 (Annexure P-5) vide which application for recalling order dated 15.11.2021 was dismissed by learned Judicial Magistrate 1st Class, Ludhiana, in Complaint Case No.53347 of 2013 titled as 'M/s Universal Woolen Vs. M/s Winsome Yarns Ltd.' The petitioner is also seeking quashing of order dated 11.01.2024 vide which his revision against the orders dated 15.11.2021 and 22.09.2022 was dismissed by learned Sessions Judge, Ludhiana.

2. At the outset, learned counsel for the respondent No.2 (complainant) has apprised this Court that the petitioner was well aware of the pendency of the criminal complaint against him as it was on



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petitioner's request, the learned Revisional Court, vide order dated 06.12.2017, had remanded the matter back to the learned Trial Court for a fresh decision in accordance with the law. Subsequently, the learned Trial Court, vide order dated 14.05.2019, passed a fresh summoning order against the accused, including the petitioner. It has been further submitted that service of the said summons was duly effected at the address of the company where the petitioner serves as the Managing Director. Additionally, the summons were also served at the residence of the petitioner's real brother.

3. On a specific query put to the learned counsel for the petitioner, it has not been disputed that the revision petition had been filed by the petitioner himself, nor has it been denied that he was not aware of the order dated 06.12.2017, passed by the learned Revisional Court, which directed the Trial Court to pass a fresh order. It has also not been disputed that the petitioner is the Managing Director of the company having an office in Ludhiana, where the service of summons was effected.

4. I have heard learned counsel for the parties and perused the relevant material on record.

5. Having heard the submissions, and considering the undisputed facts, it is evident that the petitioner, having filed the revision petition against the initial summoning order dated 24.10.2013, was aware of the pendency of the criminal complaint. Therefore, the contention that the petitioner was unaware of the proceedings is untenable.



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6. The petitioner further claims that he was not served with any summons or bailable/non-bailable warrants and only became aware of the proceedings when the police raided his residence. However, the impugned order clearly indicates that the petitioner was declared a proclaimed person on 15.11.2021. Still further, notice of the proclamation was duly published in the local newspaper 'Daily Suraj' on 10.10.2021, which is within the jurisdiction of District Ludhiana where the office of the company of which the petitioner is the Managing Director is situated.

7. As a sequel to the above, this Court does not find any merit in the instant petition, which stands dismissed accordingly.

8. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

9. Pending applications, if any, stand disposed.

14.11.2024

Vinay

**(MANJARI NEHRU KAUL)
JUDGE**

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