

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.21424 of 2024

Date of decision: 1st May, 2024

Sanjay Gupta

... Petitioner

Versus

Pushpender Chutani & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Ankit Bishnoi, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner in the instant petition filed under Section 482 Cr.P.C. is praying for quashing of the order dated 21.02.2024 (Annexure P-8) passed by the learned trial Court vide which he was declared a proclaimed offender in Complaint No.NI-20 dated 27.02.2018 under Section 138 of the Negotiable Instruments Act, 1881.

2. Learned counsel for the petitioner submits that the petitioner had been regularly appearing before the Court concerned and order (Annexure P-8) declaring him a proclaimed offender has been passed by the learned trial Court during the pendency of appeal preferred by him before the learned appellate Court. Learned counsel further submits that the petitioner is ready to appear and join proceedings before the learned trial Court. Hence, in the aforementioned facts and circumstances, the petitioner be protected till his appearance before the Court concerned and the Court be directed

that his application, which he would be filing on his surrender, be decided expeditiously.

3. Notice of motion.

4. Ms. Trishanjali Sharma, Dy. Advocate General, Haryana who is present in Court, accepts notice on behalf of the State.

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

6. In view of the limited prayer made by learned counsel appearing on behalf of the petitioner, the petition is disposed of with direction to the petitioner to appear and surrender before the learned trial Court within seven days from today. Till then, no coercive steps shall be taken against the petitioner, subject to payment of costs in the sum of ₹ 10,000/- which shall be deposited with the District Legal Services Authority, Mewat.

7. However, it is made clear that in case the petitioner fails to surrender before the Court concerned within the above stipulated time period, this order shall be of no avail to him, thereafter. In case, on appearance and surrender, the petitioner moves an application for bail, the learned trial Court shall make earnest efforts to decide the same expeditiously in accordance with law.

(MANJARI NEHRU KAUL)
JUDGE

May 1, 2024
rps

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