



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

CRM-M No.47709 of 2024 (O&M)

Date of decision: 23rd October, 2024

Mehar Singh

... Petitioner

Versus

State of Punjab & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Gursharan Singh, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

CRM No.40572 of 2024

In compliance of order dated 24.09.2024, the applicant/petitioner by way of instant application has filed copy of his air tickets.

In view of the averments made in the application and in the interest of justice, the same is allowed as prayed for. Copy of the air tickets (Annexure A-1) of the petitioner is taken on record.

CRM-M No.47709 of 2024

1. The petitioner in the instant petition filed under Section 528 of the BNSS 2023 is praying for quashing of the order dated 05.07.2022 (Annexure P-4) passed by the learned trial Court vide which he was declared a proclaimed offender in case No.NACT-5-2021 titled as

‘Avtar Singh vs. Mehar Singh Etc.’ under Section 138 of the Negotiable Instruments Act, 1881.

2. Learned counsel for the petitioner submits that the arrest warrants issued against the petitioner could not be served as he is settled in Italy. Learned counsel further submits that the petitioner is ready to appear and join proceedings before the learned trial Court; as per the copy of air tickets filed today in the Court, the petitioner is due to land at Amritsar from Milan on 29.10.2024; hence, in the aforementioned facts and circumstances, he 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. Learned counsel further submits that

3. Notice of motion.

4. Mr. Navdeep Singh, Dy. Advocate General, Punjab 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 on or before 05.11.2024. 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, Rupnagar.

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

October 23, 2024
rps

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