

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

CRM-M-53999-2019
Date of Decision : 05.02.2024

SUMIT NANDA

.....Petitioner

VERSUS

STATE OF HARYANA AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : None for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

KULDEEP TIWARI. J.(Oral)

1. On 06.09.2023, the following order was passed by a co-ordinate Bench of this Court:

“As per office report, service is incomplete.

Let fresh notice be issued to respondent No.2 for 21.11.2023.

In the meantime, petitioner shall surrender before the trial court and join the proceedings within a period of 03 weeks from today. In case, he does so and joins the proceedings, on his moving an appropriate application, he shall be released on interim bail, subject to his furnishing bail/surety bonds to the satisfaction of the Court concerned. This will be subject to deposit of costs of Rs.10,000/- with Poor Patient Welfare Fund, PGIMER, Sector 12, Chandigarh, which shall be a pre-condition to the release of the petitioner on interim bail.

The receipt of deposit of costs shall be furnished by the petitioner before the Trial Court.”

2. Learned State counsel, on instructions imparted to him by SHO/IO Dharam Veer Singh, submits that in compliance of the aforesaid order neither the petitioner has caused an appearance before the learned trial Court concerned, nor he has deposited the costs of Rs.10,000/- as imposed upon him.

3. Today, no one has caused appearance on behalf of the petitioner to dispute the aforesaid statement as suffered by the learned State counsel. The position was same on the last date of hearing as well.

4. In view of the above, it seems that the petitioner is not interested to pursue this matter, wherein, he has challenged the order dated 22.07.20219, passed by the learned trial Court concerned, declaring him a proclaimed person in a complaint No.5166/2017, dated 12.04.2017 (Annexure P-1), under Section 138 of the Negotiable Instruments Act, 1881, and in view of the non-compliance of the earlier directions passed vide aforesaid order, this Court refrains to exercise its powers envisaged under Section 482 Cr.P.C.

5. The instant petition is consequently, **dismissed**.

6. All pending application(s), if any, also stands disposed of

February 05, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No