



CRM-M-56547-2024

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

CRM-M-56547-2024 (O&M)

Date of Decision: 28.11.2024

Jonarthan KR Kannan

..... Petitioner

Versus

Logenix Logistics Indian Pvt.Ltd. and anotherRespondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Beno Bencigar, Advocate, for the petitioner
(through VC).

Rajesh Bhardwaj, J. (ORAL)**CRM-46741-2024**

Allowed as prayed for. Annexure A-1 is taken on record.

Main case

1. Prayer in the present petition is for quashing of complaint No.NACT-37680/2022 (Annexure P-2) dated 09.06.2022 titled as Logenix Logistics India Pvt. Ltd. vs. Rightway Shipping Agencies and another, and consequential PO order dated 12.09.2024 (Annexure P-13).

2. Learned counsel for the petitioner has fairly restricted his prayer in the present petition to the challenge made to the impugned order dated 12.09.2024 by virtue of which proclamation proceedings have been initiated against the petitioner. He has submitted that similar petition bearing No.CRM-M-56201-2024 filed by the petitioner has already been disposed of vide order dated 12.11.2024, copy of which has been placed on record as Annexure A-1. He further submits that even otherwise, the petitioner has been falsely implicated in the present case. He has submitted that due to his non-appearance before the trial Court on account of mis-



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understanding, proclamation proceedings have been initiated against the petitioner vide order dated 12.09.2024. He submits that now the petitioner is keen to join the proceedings and face the trial in the above said case and as such the order dated 12.09.2024 is liable to be set aside and he be allowed to be released during the pendency of the trial of the above said case.

3. After hearing learned counsel for the petitioner and perusing the record, it is evident that due to his non-appearance before the trial Court on date fixed, proclamation proceedings were initiated against the petitioner. Now the petitioner is keen to join the proceedings and face the trial. In these circumstances, when the petitioner is ready to join the proceedings and face the trial, no useful purpose would be served by sending him behind the bars, therefore, the order dated 12.09.2024 is set aside subject to payment of Rs.10,000/- as costs to be paid to Sadhna Society for the Mentally Handicapped, Near Housing Board Chowk, Raen Basera Building, Manimajra, Sector 13, Chandigarh by the petitioner within a period of seven days from today.

4. The petitioner is directed to appear before the trial Court on 07.12.2024 which is stated to be next date before it and file an appropriate application alongwith receipt of costs of Rs.10,000/- and the trial Court would grant him bail till the disposal of the case on his furnishing bail/surety bonds to its satisfaction and proceed with the matter as per law. The petitioner will have protection from arrest till 07.12.2024. The trial Court is free to impose any condition on the petitioner while admitting him to bail.

5. Needless to say that in case the petitioner fails to comply with the abovesaid direction, this order would be of no avail to him and the order

dated 12.09.2024 will come in force and the present petition shall be deemed to have been dismissed.

6. Petition stands disposed of in abovesaid terms.

28.11.2024			(RAJESH BHARDWAJ)
sharmila			JUDGE
	Whether Speaking/Reasoned	:	Yes/No
	Whether Reportable	:	Yes/No