

2024:PHHC:029284

292 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-65069-2023

Date of Decision : February 29, 2024

Kulveer Singh @ Kulvir

.....Petitioner

Vs.

State of Punjab and another

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Manik Makkar, Advocate for the petitioner.

Mr. Mohit Saroha, AAG, Punjab.

JASJIT SINGH BEDI, J. (Oral)

On 22.12.2022, the following order was passed :-

“The prayer in the present petition under Section 482 Cr.PC is for quashing of the impugned order dated 10.05.2023 (Annexure P-9) passed by the Judicial Magistrate Ist Class, Rajpura in complaint case bearing No.COMA-560-2018 dated 18.05.2018 titled as ‘The Rajpura Primary Co-operative Agricultural Development Bank versus Kulvir Singh’ under Section 138 of the Negotiable Instruments Act whereby the petitioner has been declared a proclaimed offender and for quashing of the consequential FIR No.242 dated 09.08.2023 under Section 174-A IPC, Police Station City Rajpura, District Patiala (Annexure P-10).

The learned counsel for the petitioner contends that the petitioner had been served at the wrong address and the proclamation was also effected on the wrong address. He states that the petitioner is ready and willing to join the proceedings.

Notice of motion for 25.01.2024.

In the meanwhile, the petitioner is directed to surrender before the Trial Court within a period of one week from today and subject to a deposit of Rs.50,000/- as costs with the Punjab and Haryana High Court Bar Association, Chandigarh Lawyers Family Welfare Fund, Account No.41564846387, SBI High Court Branch, IFSC:- SBIN0050306, he shall be admitted to interim bail to the satisfaction of the trial Court.

The learned counsel for the petitioner shall produce the receipt regarding deposit of Rs.50,000/- with the aforesaid Association as well as a copy of the order granting interim bail to the petitioner on the next date of hearing.”

Thereafter, on 15.1.2024, the following order was passed:-

“The prayer in the application is for early hearing from 25.01.2024 and to modify to limited extent to recall the specific portion of the order dated 22.12.2023 to the extent to which this Court has imposed as cost of Rs.50,000/- to be deposited with Punjab and Haryana High Court Bar Association, Chandigarh Lawyers Family Welfare Fund.

Heard.

I find no merit in the application and same stands dismissed.”

“On 25.01.2024, the following order was passed :-

“The learned counsel for the petitioner seeks some more time to comply with the orders dated 22.12.2023.

In view of the above, the petitioner is granted two weeks time to comply with the orders dated 22.12.2023.

Adjourned to 29.02.2024.

Interim order to continue.”

In pursuance to the aforementioned orders, the petitioner has been released on interim bail vide order dated 01.02.2024 passed by the Judicial Magistrate, Rajpura. The copy of of the said order is Marked as 'A'.

In view of the above, no further orders are required to be passed by this Court.

It is expected that the petitioner shall not absent himself from the Trial without sufficient cause.

Disposed of.

February 29, 2024
satish

(JASJIT SINGH BEDI)
JUDGE

Whether speaking/reasoned : YES / NO

Whether reportable : YES / NO