



CRM-M-6615-2025

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

CRM-M-6615-2025

Date of Decision: 06.02.2025

Virender Singh

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Balraj Singh Dhull, Advocate, for the petitioner.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for quashing of the order dated 18.11.2024 (Annexure P-3) passed by learned Sub Divisional Judicial Magistrate, Kanina in complaint No.92 of 2020 filed on 04.09.2020 titled as Yash Siksha vs. Maa Annapurna, under Sections 138/142 of the Negotiable Instruments Act, vide which the petitioner has been declared as proclaimed person.

2. It has been contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. He has submitted that in the said complaint, it was Vijender Singh, whereas, warrants have been issued against Bijender Singh. He submits that however, name of the petitioner is Virender Singh. He submits that on account of the same, the petitioner remained unaware of the complaint filed and hence, he has been illegally declared as proclaimed person vide impugned order dated 18.11.2024. He submits that now petitioner is keen to join the proceedings and face the trial in the above said case and as such the order 18.11.2024 be set aside and he be allowed to be released during the pendency of the trial of the above said case.



3. Notice of motions.

4. Mr. Sumit Jain, Addl. AG, Haryana accepts notice on behalf of State and has submitted that the petitioner has rightly been declared as proclaimed person by the trial Court as he remained absent from Court for a long time.

5. After hearing learned counsel for the parties and perusing the record, it is evident that due to non-appearance of the petitioner, he was declared as proclaimed person on 18.11.2024. 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 18.11.2024 is set aside subject to payment of Rs.10,000/- as costs to be paid to Sadhna Society for Mentally Handicapped, Near Housing Board Chowk, Raen Basera Building, Manimajra, Sector 13, Chandigarh by the petitioner within a period of seven days from today.

6. The petitioner is directed to appear before the trial Court within a period of ten days from today 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 subject to its satisfaction. The petitioner will have protection from arrest for a period of ten days from today. The trial Court is free to impose any condition it likes on the petitioner while admitting him to bail.

7. 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 18.11.2024 will come in force and the present petition shall be



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deemed to have been dismissed.

8. Petition stands disposed of in abovesaid terms.

06.02.2025
sharmila

Whether Speaking/Reasoned
Whether Reportable

(RAJESH BHARDWAJ)
JUDGE

: Yes/No
: Yes/No