



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

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CRM-M-8653-2025
DATE OF DECISION: 15.02.2025

JASPAL SINGH**...PETITIONER****Versus****STATE OF PUNJAB AND ANR.****... RESPONDENTS****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Sudhir Rana, Advocate and
Mr. R.S. Kingra, Advocate for the petitioner(s).

Mr. J.S. Rattu, DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 528 of BNSS, 2023, seeking exercise of inherent jurisdiction of the Court for quashing order dated 05.12.2024 (Annexure P-5), vide which the petitioner was declared as proclaimed person, passed by Judicial Magistrate First Class-3, Abohar, District Fazilka, in complaint case NACT/1724 of 2023 dated 18.10.2023, District Fazilka, titled "Gurjinder Singh versus Jaspal Singh" under section 138 of Negotiable Instrument Act. Police 1881, Station Sadar Abohar, District Fazilka, filed by respondent No. 2, against the present petitioner.

Learned counsel for the petitioner submits the petitioner could not appear in Court since 30.08.2024 due to some misunderstanding, therefore, the Trial Court declared the petitioner as proclaimed person. He undertakes that the petitioner will surrender



before the trial Court and shall join the trial proceedings without any delay or default in future and volunteers to pay fine for the delay occurred in judicial proceedings caused by him.

Notice of motion.

On the asking of the Court, learned State Counsel accepts notice on behalf of the respondent-State, who is not averse to the undertaking given by the petitioner that he will surrender before the trial Court.

Considering the submissions made by learned counsel and also in appreciation of the fact that it will only speed up the proceedings before the Trial Court which is one of the essence as enshrined under Article 21 of the Constitution of India, the petitioner is directed to surrender before the trial Court within a period of 2 weeks from today and apply for regular bail.

In case, such an application for bail is moved by the petitioner before the learned trial Court, the same shall be considered on the same date and decided in accordance with law.

However, it is made clear that in case the petitioner does not abide by the aforesaid undertaking, the respondent/State shall be at liberty to move an appropriate application for revival of the instant petition.

The aforesaid order/concession to the petitioner shall be subject to payment of costs of Rs.20,000/- to be deposited in Chandi Kusht Ashram Society, (account No.1445265900) (IFSC Code KKBK0004211), Kotak Mahindra Bank, Sector 46-C Chandigarh, and a receipt of the same be produced before the Trial Court and only in that



eventuality, application of the petitioner for seeking bail be considered and decided on the same day in accordance with law.

The instant petition is disposed of in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

15.02.2025
anuradha

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>