



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

**CRM-M-8984-2025
DECIDED ON: 17.02.2025**

SATYENDRA SINGH

.....PETITIONER

VERSUS

STATE OF UT CHANDIGARH AND ANR

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Ms. Poonam Singh Thakur, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 528 of Bharatiya Nagrik Suraksha Sanhita 2023 seeking quashing of the impugned order dated 14.11.2023 in complaint no. NACT/1072/2022 dated 14.02.2022 (Annexure P-1) titled as Tanya Batra Vs Satyendra Singh under Section 138 r/w 142 of Negotiable Instrument whereby the petitioner was declared as proclaimed person vide order dated 14.11.2023 (Annexure P-2).

Learned counsel for the petitioner submits that the petitioner was not aware of the pendency of the present complaint nor he has ever received any summons or warrants of arrest at the address mentioned in the complaint. She further refers to the order dated 23.08.2023 (Annexure P-3) and would submit that it is crystal clear from the said order that service upon the petitioner was not effected properly and even no proper procedure has been adopted to summon the petitioner, as such the said service cannot be termed as effected service.

She undertakes that the petitioner will surrender before the trial Court and shall join the trial proceedings without any delay or default in future.

Notice of motion.

On the asking of the Court, Mr. Anupam Bansal, APP, U.T.,

Chandigarh accepts notice on behalf of the respondent-State, who is not

averse to the undertaking given by learned counsel for the petitioner today in Court.

In the light of above undertaking, the petitioner is directed to surrender before the trial Court within a period of one week 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.

There is no denial to the fact that due to petitioner's act, delay has occurred in trial proceedings and has caused prejudice to the other side and to compensate the delay which is caused by the petitioner alone, he is directed to deposit costs of Rs.10,000/- with Chandi Kusht Ashram Society, Kotak Mahindra Bank, Sector 46-C, A/c No.1445265900, IFSC Code: KKBK0004211 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.

The instant petition is disposed of in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

17.02.2025

Poonam Negi

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No