

2025:PHHC:156446



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

283

CRM-M-26709-2025

Date of decision: 12.11.2025

RAJ KUMAR

.... PETITIONER(S)

VERSUS

VISHAL DJ GARG AND ANOTHER

....RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Bhavyadeep Walia, Advocate
for the petitioner(s).

Mr. Rhythem Bajaj, Advocate
for respondent No.1.

Ms. Navreet Kaur Barnala, AAG, Punjab.

JASJIT SINGH BEDI, J. (Oral)

On 19.05.2025, the following order was passed:-

“The present petition has been filed for quashing of impugned order dated 28.02.2025 (Annexure P-3) in criminal complaint COMA-72732 of 2022 passed by learned Judicial Magistrate 1st Class, Ludhiana vide which the petitioner was declared as proclaimed person.

Learned counsel for the petitioner contends that after passing of the summoning order dated 11.01.2023 (Annexure P-2) under Section 138 of the Negotiable Instruments Act, 1881, the petitioner was never personally served. He further submits that the petitioner had never received the notice even through registered letter. As per the interim orders passed by the Area Magistrate, the petitioner was not served even throughailable warrants and thereafter, nonailable warrants were ordered to be issued against him.



However, notice was ordered to be issued in a newspaper initiating proceedings under Section 82 Cr.P.C.

Learned counsel for the petitioner further submits that the petitioner is ready to join the proceedings before the trial Court and he has been wrongly declared as proclaimed person without following the due procedure by way of passing the impugned order dated 28.02.2025 (Annexure P-3).

Notice of motion.

On the asking of the Court, Ms. Ramta Chowdhary, DAG, Punjab accepts notice on behalf of respondent No.2-State.

Adjourned to 22.07.2025 for service of respondent No.1.

In the meantime, the petitioner is directed to surrender before the trial Court within a period of 10 days from today. On doing so, the petitioner shall be released on interim bail subject to furnishing bail bonds/surety bonds to the satisfaction of the trial Court and also subject to costs of Rs.10,000/- to be paid to the complainant-respondent No.1 by the petitioner.”

2. Despite passing of the aforementioned order, the petitioner has not complied with the same.

3. In view of the above, the present petition seeking quashing of the order dated 28.02.2025 stands dismissed.

4. All the pending miscellaneous applications, if any, stand disposed of.

12.11.2025

Kusum

(JASJIT SINGH BEDI)
JUDGE

Whether speaking/reasoned:- Yes/No
Whether reportable:- Yes/No