

2025:PHHC:083508



124.

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

CRM-M-35617-2025

Date of decision: 11.07.2025

Balwinder Singh

.... Petitioner

Versus

State of Haryana and another

.... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Ms. Priya Malik, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. Prayer in the present petition filed under Section 528 of BNSS, 2023, is for quashing of order dated 25.09.2024 passed by learned Judicial Magistrate Ist Class, Ambala, whereby the petitioner has been declared as proclaimed person in complaint case No.COMA/2259/2018, dated 31.10.2018, filed under Section 138 of Negotiable Instruments Act, 1881.

2. Learned counsel for the petitioner, at the outset, submits that the petitioner is ready and willing to appear and surrender before the Trial Court, however, he be protected till his appearance before the Trial Court and directions be given to the Trial Court that his bail application, which he would be filing on his surrender, be decided expeditiously.

3. Notice of motion.

4. On asking of the Court, Mr. Rajat Gautam, Addl. A.G., Haryana, accepts notice on behalf of respondent-State.

5. In view of the limited prayer made by the learned counsel for the petitioner, the instant petition is disposed of with the following directions:-

The petitioner is to appear and surrender before the Trial Court within 07 days from today. Till then, no coercive steps be taken against the petitioner. This is contingent upon the petitioner paying a cost of Rs.5,000/- to be deposited with the concerned District Legal Services Authority.

6. It is made clear that in case, the petitioner fails to surrender before the Trial Court within 07 days from today, this order shall be of no avail to him thereafter. In case, on appearance and surrender, the petitioner moves an application for bail, the Trial Court shall make earnest efforts to decide the same expeditiously, in accordance with law.

(MANJARI NEHRU KAUL)
JUDGE

July 11, 2025

sanjeev

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No