



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

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**CRM-M-13802-2025
DATE OF DECISION: 17.03.2025**

SURJIT SINGH**...PETITIONER****Versus****PARDEEP ARORA****... RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Surinder Garg, Advocate for the petitioner(s).

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 528 of BNSS 2023 for quashing of order dated 22.11.2023 (Annexure P-6) passed by SDJM, Gidderbaha in complaint NACT No. 92/2022 dated 20.05.2022 under Section 138 of NI Act titled as 'Pardeep Arora vs. Surjit Singh vide which the petitioner has been declared as proclaimed persons.

Learned counsel for the petitioner submits that though the petitioner was served for 02.09.2022 but he could not appear in the Court on 02.09.2022 as he was having bad health and hence, mixed the date, however, thereafter, the petitioner was never served with the non-bailable warrants as is also evident from the orders attached with the petition. He submits that the petitioner did not had any intention to avoid attendance in the Court proceedings. He undertakes that the petitioner will surrender before the trial Court and shall join the trial proceedings without any delay or default in future.



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 two 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.10,000/- to be deposited with the Punjab and Haryana High Court Bar Clerk Association, 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

17.03.2025
anuradha

Whether speaking/reasoned *Yes/No*
Whether reportable *Yes/No*