



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

CRM-M-54181-2024

Date of Decision: 25.03.2025

Atul Nayar

..... Petitioner

Versus

M/s Mirage Toughens Glass

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Neelam Choudhary, Advocate for
Ms. Sunita Punia, Advocate, for the petitioner.

Mr. Ankur Bansal, Advocate, for the respondent.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for quashing of the order dated 03.04.2024 vide which the petitioner has been declared as proclaimed person in NACT No.67 dated 03.02.2018 titled as M/s Mirage Toughened Glasses vs. M/s Nayyar Glass Electric Co.

2. Learned counsel for the petitioner has submitted that the petitioner was prosecuted in a complaint case under Section 138 of the Negotiable Instruments Act, 1881 filed by the respondent, wherein, due to his non-appearance before the Court, he was declared as proclaimed person vide order dated 03.04.2024. He has submitted that the petitioner has filed a petition for granting him anticipatory bail in the said complaint and vide order dated 29.10.2024, the petitioner was directed to appear before the trial Court and the trial Court was directed to grant him interim bail, which has been granted to him and he is continuously appearing before the trial Court. He submits that the interim bail granted to the petitioner has been made absolute vide order passed today in CRM-M-53876-2024. He has further submitted that under these circumstances, when the petitioner is already



appearing before the trial Court on each and every date of hearing and facing proceedings in the complaint case before the trial Court, no useful purpose would be served by keeping the order dated 03.04.2024 alive and as such the same is required to be set aside.

3. Learned counsel for the respondent has opposed the submissions made by counsel for the petitioner.

4. Heard. Keeping in view the above-said fact that the petitioner is already appearing before the trial Court and is facing proceedings in the complaint, no useful purpose would be served by keeping the order dated 03.04.2024 alive and the same is hereby set aside.

25.03.2025
sharmila

Whether Speaking/Reasoned
Whether Reportable

(RAJESH BHARDWAJ)
JUDGE

: Yes/No
: Yes/No