

Rajiv Sharma Vs. State

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Court : Delhi

Decided On : Mar-27-2003

Reported in : 2003(68)DRJ78

Judge : R.C. Chopra, J.

Acts : [Negotiable Instruments Act, 1881](#) - Sections 138

Appeal No. : Criminal Misc. (M) No. 1274 of 2003 and Criminal Misc. 1629 and 1230 of 2003

Appellant : Rajiv Sharma

Respondent : State

Advocate for Pet/Ap. : Rakesh Kakkar, Adv

Judgement :

R.C. Chopra, J.

Crl. M. (M) No. 1274 of 2003

1. The grievance of the petitioner is that he has been declared proclaimed offender in a Complaint filed under Section 138 of the Negotiable Instruments Act In spite of the fact that his whereabouts were known to the complainant and he being a Government servant, his whereabouts could be easily ascertained by the

complainant for getting him served.

2. Let the petitioner appear before the Trial Court and explain the circumstances under which he was not in a position to appear before the Court and was declared a proclaimed offender. Considering the nature of offence, the Trial Court is expected to take an indulgent view in the matter and see that no injustice is done to the petitioner. Let the petitioners appear before the Trial Court.

3. No further directions are required to be issued. The petition stands disposed of.

Crl M. No. 1629 of 2003

Dismissed as infructuous.

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