



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

**CRM-M-19546-2026 (O&M)
DECIDED ON: 10.04.2026**

M/S PURBA FASHION AND ANOTHER

.....PETITIONERS

VERSUS

M/S G.T. KOMAL CLOTHING

.....RESPONDENTS

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present: Mr. Manvinder Singh Sidhu, Advocate
for the petitioners.

MANDEEP PANNU, J (ORAL)

1. The present petition has been preferred under Section 528 of BNSS, 2023 for quashing of the impugned order dated 05.03.2026 (Annexure P-4), whereby the petitioners have been declared as proclaimed persons in complaint case No.COMA/92186 dated 22.11.2022 titled as *M/s G.T. Komal Clothing vs. M/s Purba Fashion etc.* filed under Section 138 of NI Act read with Section 420 IPC.

2. Learned counsel for the petitioners contends that the petitioners' absence before the trial Court was neither intentional nor deliberate but was due to circumstances beyond their control. It is submitted that the petitioners inadvertently missed the hearing dated 23.12.2025, pursuant to which non-bailable warrants were issued. Thereafter, on 14.01.2025, although the petitioners visited the Court premises to attend the proceedings, they could



not appear due to a bomb threat and evacuation of the Court complex. It is further contended that the petitioners did not appear subsequently out of fear upon learning about the issuance of non-bailable warrants. The learned trial Court thereafter issued proclamation proceedings and declared the petitioners proclaimed persons based on an incorrect report of the serving officer. Learned counsel submits that the petitioners have always been residing at their given address, have never evaded the process of law, and were never duly served.

3. It is contended that the petitioners are ready and willing to make payment to the complainant/respondent. It has been further contended that the petitioners undertake to surrender before the learned Trial Court.

4. At the outset, this Court is of the considered view that no notice is required to be issued to the respondent, as the controversy involved is short, lies within a narrow compass, and can be adjudicated on the basis of the pleadings and material already available on record.

5. I have heard learned counsel for the petitioners and perused the record.

6. In view of the undertaking given by the petitioners that they are ready and willing to make payment to the complainant/respondent and also to surrender before the trial Court, the petitioners are directed to surrender before the trial Court within a period of 10 days from today and apply for bail, subject to payment of costs of Rs.10,000/- each to be deposited with Poor Patients Welfare Fund, PGIMER, Chandigarh.

7. In case, such an application for bail is moved by the petitioners before the learned trial Court, the same shall be considered and decided on the same very day.



8. With aforementioned terms, present petition stands disposed of.
9. All pending miscellaneous application(s), if any, stands disposed of.

10.04.2026

Poonam Negi

(MANDEEP PANNU)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No