

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

CRM-M No. 19785 of 2015 (O&M)

Date of decision : 12.6.2015

Suman Bala

..... Petitioner

VS

State of Punjab and another

..... Respondents

Present Mr. Krishan Singh Dadwal, Advocate, for the petitioner.

Rajesh Bindal, J.

Learned counsel for the petitioner submitted that the complaint under Section 138 of the Negotiable Instruments Act, 1881, was filed by respondent no. 2 against the petitioner on 27.2.2013 giving her address as House No. 3110, Sector 39-D, Chandigarh. In fact that house was allotted to the husband of the petitioner, who was Punjab Government employee. After the husband of the petitioner left government service and had gone abroad, the house was surrendered in the year 2012. Summon/warrant in the complaint was never served upon the petitioner. She was declared proclaimed person on 25.2.2015 by the learned Magistrate. As the police still continued raiding at the house, address of which was mentioned in the complaint, the neighbourers informed the petitioner. She immediately made efforts to find out the details and filed the bail application before the learned Court below on 27.5.2015, which is now listed on 1.7.2015, as service of the complainant could not be completed. In the application filed by the petitioner, she has furnished her present address. The police is now regularly raiding her house where she is living with her college going daughter and son, as husband of the petitioner is living abroad. The prayer is for protection till such time the application is decided by the learned Court below.

After hearing learned counsel for the petitioner and considering the submissions made above, the arrest of the petitioner shall remain stayed till the next date of hearing fixed before the Court below i.e. 1.7.2015. Thereafter, she will abide by the any order, which may be passed by the learned Court below. It is made clear that the learned Court below shall not be influenced by the order passed by this Court. The application shall be decided on its own merits.

The petition stands disposed of.

12.6.2015

vs

(Rajesh Bindal)
Judge