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IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

\*\*\*\*

CRM-M-28132-2017 (O&M)

Date of Decision: 03.08.2017

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Karanjit Kaur

..... Petitioner

Versus

State of Punjab

..... Respondent

**CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA**

Present: Mr. Sunil Agnihotri, Advocate,  
for the applicant-petitioner.

**SUDIP AHLUWALIA J. (ORAL)**

**CRM-24150-2017**

Allowed as prayed for.

**CRM-M-28132-2017**

This is apparently a misconceived petition in which the petitioner seeks an order of anticipatory bail in a criminal complaint pending against her under Section 138 of the Negotiable Instruments Act.

2. Her contention is that she was not aware of the various processes issued against her till the Ld. trial Court declared her a Proclaimed Offender. After coming to know about the same, she approached the Court of the Ld. Additional Sessions Judge, Hoshiarpur for anticipatory bail. Her application was dismissed by the Ld. Judge, who observed, *inter alia* -

*“...however, with liberty to the applicant-accused to surrender before the trial court within 15 days from days (sic. today) and moves application for regular bail, the learned trial court shall decide the said bail application on the same day....”*

3. On the face of it, this Court finds no irregularity in the aforesaid direction of the Ld. Additional Sessions Judge, who had granted time to the petitioner to surrender before the trial court and seek regular bail. It needs to be remembered that the offence alleged against her is bailable and that she has never actually jumped bail at any stage. Her contention is that she was never aware of the processes issued against her, which may or may not be true.

4. In the opinion of this Court, therefore, there was no need for the petitioner to have filed the instant application for anticipatory bail which is dismissed and the order passed by the Ld. Additional Sessions Judge is affirmed. After the petitioner surrenders before the trial Court within ten days from today her application for bail may be considered by imposing appropriate terms and conditions as deemed fit by the Ld. Trial Court.

5. In the meantime, execution of any warrants pending against the petitioner shall remain stayed.

**03.08.2017**

*Bhumika*

**(SUDIP AHLUWALIA)  
JUDGE**

1. Whether speaking/reasoned: Yes

2. Whether reportable: No