

Criminal Misc. No. M- 44183 of 2017 (O&M)

Date of decision : November 21, 2017

Amra Wati and others

.....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. Rajan Singh Dadwal, Advocate
for the petitioner.

LISA GILL, J.

The petitioners were summoned to face trial in complaint CRM No. 601 of 2014 under Sections 376, 323, 324, 354, 506, 354, 120B IPC read with Sections 34, 108, 511 IPC vide order dated 19.08.2016 (Annexure P-4). Their applications for grant of anticipatory bail were dismissed on 06.12.2016. Thereafter, the petitioners chose not to join the proceedings before the learned trial Court. Learned trial Court ultimately on 07.07.2017 (Annexure P-6) declared the petitioners to be proclaimed persons. Aggrieved therefrom, the present petition has been filed.

It is argued that the petitioners had shifted from their previous address. They were never served, therefore, proper procedure not having been followed, they have been wrongly declared to be proclaimed persons by the learned trial Court.

I have heard learned counsel for the petitioners.

I find no merit in the above said argument raised on behalf of the petitioners especially keeping in view the fact that all the petitioners were aware of summoning order dated 19.08.2016. They had duly preferred

applications for anticipatory bail, which were admittedly dismissed on 06.12.2016.

At this stage, learned counsel for the petitioners submits that the petitioners shall surrender before the learned trial Court within ten (10) days from today.

Keeping in view the facts and circumstances of the case, this petition is disposed of with a direction to the learned trial Court that, in case, the petitioners surrender within ten (10) days from today, their applications for regular bail, if any, be decided expeditiously, preferably within one week in accordance with law.

November 21, 2017
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No