

121 In the High Court of Punjab and Haryana at Chandigarh

CRM -M-799 of 2017

Date of Decision: 13.1.2017

Inderjit Kaur

---Petitioner

versus

State of Punjab and another

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Mr. Veneet Sharma, Advocate
for the petitioner**

Rekha Mittal, J.

The present petition has been filed under Section 482 of the Code of Criminal Procedure (in short “Cr.P.C.”) for quashing the impugned order dated 16.9.2015 (annexure P-6) vide which the petitioner was declared as a proclaimed person in FIR No. 212 dated 10.12.2012 registered in police station, Mataur, District SAS Nagar Mohali for offence punishable under Sections 406, 498-A of the Indian Penal Code (in short “IPC”).

Counsel for the petitioner has submitted that the petitioner was allowed pre arrest bail by this Court vide order dated 11.2.2013 (Annexure P-2). Amandeep Kaur complainant/respondent No. 2 filed a petition under Section 13 of the Hindu Marriage Act, 1955 for a decree of divorce. Decree of divorce dated 13.5.2016 has been passed by the Additional District Judge, SAS Nagar Mohali and the same has not been challenged by Sharanjit Singh son of the petitioner. It is further submitted that the petitioner was arrested on 29.12.2016 and her application for grant of bail

has been dismissed by the Judicial Magistrate. It is further submitted that till the order passed by the Magistrate declaring her a proclaimed person is set aside, there is every likelihood of the said order standing in her way in seeking bail.

I have heard counsel for the petitioner, perused the paper book particularly various annexures appended with the petition.

Be that as it may, it is an admitted position of the case that the petitioner has already been arrested after being declared as a proclaimed person. Once the petitioner has been arrested and produced before the Judicial Magistrate, she is no longer a proclaimed person warranting setting aside order dated 16.9.2015.

With these observations, the petition stands disposed of.

(Rekha Mittal)
Judge

13.1.2017

PARAMJIT

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No