

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

CRM-M-54011 of 2018.

Decided on:- December 06, 2018.

Jasjit Kaur.

.....Petitioner.

Versus

State of Punjab and another

.....Respondents.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. Lakhwinder Singh Mann, Advocate
for the petitioner.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.PC is for quashing of the order dated 12.08.2015 (Annexure P-4) passed by learned Judicial Magistrate 1st Class, Nakodar, in case bearing FIR No.39 dated 12.02.2014 under Sections 419, 420, 465, 467, 468, 471 and 120-B IPC registered at Police Station Shahkot, District Jalandhar, whereby the petitioner was declared as a proclaimed person and intimation was sent to the concerned Police Station requiring the police to initiate action against the petitioner under Section 174-A IPC.

Learned counsel for the petitioner has argued that the petitioner is a citizen of Canada and is residing there since the year 2007. She has not been served in the case before the trial Court. In support of his contention, he has referred to the report of Constable Surender Singh 1367, P.S. Shakot

dated 11.05.2015, wherein he has reported that he went to the house of Jasjit Kaur daughter of Darshan Singh, but the same was found locked. One copy of proclamation was affixed at the door of the house. The second copy was affixed at conspicuous place of village. The third copy of the proclamation was affixed on the notice board of the trial Court and fourth copy was submitted before the trial Court.

He has further contended that even otherwise, the matter has been compromised between the parties and a compromise deed dated 29.05.2015 (Annexure P-7) has been reduced into writing. The petitioner is ready to surrender before the trial Court and to face the trial provided a reasonable time is granted to her as she has to come all the way from Canada.

I have heard learned counsel for the petitioner.

The pleaded case of the petitioner is that she is a citizen of Canada and is residing there since the year 2007. The matter has otherwise been compromised between the parties. Thus, once the matter has been compromised between the parties, this Court finds that the continuation of proceedings would be an academic exercise.

Be that as it may, but considering the fact that the petitioner has shown her inclination to face the trial, the impugned order dated 12.08.2015 (Annexure P-4) passed by learned Judicial Magistrate 1st Class, Nakodar is set aside and the present petition is disposed of with a direction that in case the petitioner surrenders before the trial Court within one month from today, she shall be admitted on bail on her furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Court, however, subject to payment of costs of Rs.50,000/- as costs to be paid to the Poor Patients' Welfare Fund

of the Postgraduate Institute of Medical Education and Research (PGIMER), Chandigarh.

The petitioner shall also furnish an undertaking before the trial Court that she will continue to appear during the trial unless an exemption is granted to her.

December 06, 2018
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No