

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-6373 of 2019

Date of Decision: 07.05.2019

Joginder Kaur

...Petitioner(s)

Versus

State of Punjab and another

...Respondent(s)

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

Present:- Mr. M.S. Atwal, Advocate for the petitioner.

Mr. Jagmohan Ghumman, DAG, Punjab.

Mr. Rohiteshwar Singh, Advocate for respondent no.2.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioner in the event of her arrest in complaint case No.3 of 2009 under Sections 406 and 498-A IPC instituted on 30.09.2009 (Annexure P-1).

Learned counsel for the petitioner has argued that the petitioner is sister-in-law of respondent no.2 Jeet Kaur @ Rajwant Kaur. Jeet Kaur had solemnized her marriage with the brother of the petitioner namely Joginder Singh on 27.02.2018. Pursuant to the complaint filed by respondent no.2 under Sections 406 and 498A IPC, the petitioner was summoned vide order dated 11.01.2010 and accordingly, she appeared before the trial Court. But thereafter, she had gone abroad and vide order dated 25.05.2015, the petitioner was declared as a proclaimed person. The said order dated 25.05.2015 reads as under:-

“File put up before me today being Duty Magistrate since Ld. Illaqa Magistrate is availing maternity leave. Accused Joginder Kaur has not turned up despite elapse of 30 days after due issuance of proclamation under section 82 CrPC. Therefore, accused Joginder Kaur is declared proclaimed person. Intimation be sent to the concerned police station for making the entry in the relevant register. Now the case stands adjourned to 1.8.2015 for post charge evidence of the complainant.”

Vide order dated 11.02.2019 of this Court, ad-interim bail was granted to the petitioner to the satisfaction of the arresting officer, however, the petitioner was directed to join investigation.

Learned counsel for the petitioner says that pursuant to order dated 11.02.2019, the petitioner has appeared before the trial Court and she has been admitted on bail.

I have heard learned counsel for the parties.

In view of the submission made by counsel for the petitioner that the petitioner has appeared before the trial Court and she has been admitted on bail, this Court finds that the present petition has been rendered infructuous.

Dismissed as infructuous.

However, the petitioner shall appear before the trial Court as and when required unless exemption is granted to her.

May 07, 2019
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No