

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

CRM-M-45245-2017 (O&M)

Date of decision : 05.12.2019

Twinkle Dutta

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

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

Mr. Hittan Nehra, Additional Advocate General, Punjab.

ANIL KSHETARPAL, J. (ORAL)

On 29.11.2017, following order was passed:-

“The petitioner has impugned the order dated 06.06.2016 (Annexure P-4) passed by JMIC, Chandigarh whereby the petitioner has been declared as proclaimed person in complaint case No.32216 dated 11.02.2013 titled as “Pawan Kumar Pushkarna Vs. Twinkle Dutta” under Section 138 of the Negotiable Instruments Act (hereinafter referred to as ‘the Act’).

Learned counsel for the petitioner contends that petitioner is a widow and is working as a computer clerk in Primary Health Center Kasel, District Tarn Taran. The complaint has been lodged by her sister’s husband due to family dispute. Learned counsel further contends that the impugned order is unsustainable inasmuch as 30 days clear notice was not given to the petitioner after issuance of

proclamation as stipulated in Section 82 of the Cr.P.C. He also contends that the petitioner is willing to appear before the trial Court and may be protected from arrest. He also contends that even otherwise, the offence under Section 138 of the Act is bailable.

Issue notice to the respondents.

At the asking of the Court, Mr. Sandeep Vermani, Additional Advocate General, Punjab accepts notice on behalf of respondent No.1.

List on 21.12.2017.

In the meantime, the petitioner shall appear before the trial Court and on doing so, she shall be granted interim bail to its satisfaction.”

Learned counsel for the petitioner submits that in compliance of the order, petitioner has appeared before the trial Court and has been granted interim bail. He further submits that the petitioner is thereafter regularly appearing before the learned trial Court.

In view thereof, order dated 29.11.2017, is made absolute.

Accordingly, the present petition is disposed of.

05.12.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No