

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-37220-2019

Date of Decision: 16.10.2019

Anchal Dhawan

.....Petitioner

Vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Charan Jit Sharma, Advocate,
for the petitioner.

Mr. B.S. Sewak, Addl. A.G., Punjab.

Mr. Brijeshwar Singh Bhalla, Advocate,
for respondent no. 2.

AMOL RATTAN SINGH, J. (ORAL)

Though otherwise there may not be any reason to allow this petition considering that the petitioner is stated to have been declared a proclaimed offender in the year 2015, which order has been challenged only about 04 years later, however, keeping in view the fact that the matter actually arises out of proceedings under Section 138 of the Negotiable Instruments Act, and learned counsel submits that the petitioner undertakes to continue appearing before the trial Court on each and every date that she is summoned to do so, also keeping in view the fact (as had already been recorded in the order dated 09.09.2019), that she is a mother who has two minor children (less than 10 years of age), the petition is allowed, with the impugned order set aside, upon the petitioner furnishing adequate bail bonds and surety bonds to the satisfaction of the trial Court.

It is, however, made clear that absence on even one occasion before the trial Court without the permission of that Court hereafter, would be treated to be a violation of the condition on which this petition is being allowed, and the petition shall then be treated to have been dismissed.

In the aforesaid circumstances, subject to the complainant taking any additional time to lead evidence etc., the trial Court is directed to ensure that the trial is concluded within a period of 04 months from today.

October 16, 2019
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.