

125-A

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-17741-2020
Date of Decision: 07.07.2020

Harjot Kaur

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Sherry K. Singla, Advocate,
for the petitioner.

SUDIP AHLUWALIA, J. (ORAL)

Ld. Counsel for the petitioner submits *inter alia* that the impugned order (Annexure P-5) passed by the Ld. Judicial Magistrate First Class, Malerkotla, itself mentions that proclamations of the accused Pamma and Jyoti were effected on 16.12.2019. But vide the impugned order passed on 06.01.2020, which was passed only after lapse of 20 days and not before the completion of the mandatory 30 days' period, is *ex facie* illegal.

[2]. Ld. Counsel further submits that actually the petitioner's name is Harjot Kaur daughter of Karamjit Singh and she has no connection with the names of "Pamma and Jyoti", on account of which, it is incorrect to conclude that any valid service of process has been effected upon her.

[3]. In view of the nature of order this Court intends to pass, service upon the private respondent at this stage, is not required, as, such a course would only lead to avoidable delay.

[4]. The present petition is disposed off after setting aside the impugned order with a direction upon the petitioner to surrender herself

before the Trial Court within a fortnight from today and seek appropriate relief in accordance with law.

07.07.2020

Bhumika

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No