

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-15600-2021 (O&M)
Date of Decision:-9.4.2021

Harpreet Kaur Gangar

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. C.M. Munjal, Advocate for the petitioner.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. Learned counsel for the petitioner contends that the petitioner alongwith other accused was summoned vide order dated 22.8.2014 (Annexure P-2). However, the petitioner could not be served as she was abroad and was ultimately declared a proclaimed offender, whereas four other co-accused, who were tried were found guilty and were sentenced to pay a fine of ₹1,000/- each vide judgment dated 9.9.2019 (Annexure P-5).
2. Learned counsel has further submitted that subsequently the petitioner coming to know about the order declaring her a proclaimed offender, approached this Court by way of filing CRM-M-50632 of 2019, wherein she was directed to surrender before the Trial Court and was ordered to be released on bail vide order dated 28.11.2019 and accordingly she appeared

before the Trial Court and had been appearing regularly. Learned counsel submits that somehow the matter is being adjourned time and again before the Trial Court as original file of the case was not received from the record room and that it was lastly adjourned vide order dated 2.4.2021 to 25.5.2021, wherein the following order was passed:

“Original file not received from the record room. Original file be summoned for 25.05.2021.”

3. Learned counsel for the petitioner submits that the petitioner as well as her son and daughter are presently residing in India though they are settled in Finland, where her husband is residing and that on account of pendency of the said case, she is unable to proceed to Finland. Learned counsel for the petitioner submits that for the sake of future of her children, she is willing to confess her guilt before the Trial Court and that in these circumstances, the Trial Court may be directed to prepone the matter, which is presently fixed for 25.5.2021 and to frame charges against the petitioner and that she would confess her guilt.
4. In view of the aforesaid submission, the instant petition is disposed off with a direction to the Trial Court to prepone the matter to an early date from the date already fixed which is stated to be 25.5.2021 and to do the needful for ensuring that the original file is duly received, so that the proceedings of trial may immediately commence. In case, the Trial Court forms an opinion that charges are required to be framed against the petitioner, the same be framed at the earliest while affording an opportunity to the petitioner to admit or deny the said charges. The Trial Court shall do the needful while taking into consideration that the petitioner is having two minor children to look after.

5. The District and Sessions Judge, SBS Nagar, is also directed to do the needful for ensuring that the original file is traced immediately and is sent to the Trial Court for further necessary proceedings.
6. The petition stands disposed off with the aforesaid direction.

9.4.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No