

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

I) CRM-M-24398-2021 (O&M)

Karanjit Kaur ... Petitioner

Versus

State of Punjab and another ... Respondents

II) CRM-M-24430-2021 (O&M)

Karanjit Kaur ... Petitioner

Versus

State of Punjab and another ... Respondents

III) CRM-M-24433-2021 (O&M)

Karanjit Kaur ... Petitioner

Versus

State of Punjab and another ... Respondents

IV) CRM-M-24441-2021 (O&M)

Karanjit Kaur ... Petitioner

Versus

State of Punjab and another ... Respondents

V)

CRM-M-24456-2021 (O&M)

Karanjit Kaur

... Petitioner

Versus

State of Punjab and another

... Respondents

Date of Decision:-27.10.2021

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Arnav Sood, Advocate for the petitioner(s).

Mr. Harbir Sandhu, AAG, Punjab.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. This order shall dispose of the above mentioned five petitions filed on behalf of petitioner Karanjit Kaur seeking grant of anticipatory bail in respect of cases registered vide Complaint Case Nos.NACT/271 dated 6.10.2017, NACT/100 dated 4.5.2017, NACT/8 dated 10.1.2017, NACT/29 dated 21.3.2017 and NACT/21 dated 16.2.2017 under Section 138 of Negotiable Instruments Act.
2. At the time of issuance of notice of motion on 30.6.2021, the following order was passed:

“Learned counsel for the petitioner(s) contends that 5 identical complaints have been filed against the petitioner(s) under Section

138 of Negotiable Instruments Act wherein the petitioner(s) has been summoned. It has been submitted that since the petitioner(s) was never aware about the said proceedings she could not appear before the trial Court and resultantly she had been declared a 'Proclaimed Offender'.

It has been submitted that when the petitioner(s) came to know about the pendency of the said 5 complaints she immediately made efforts to amicably resolve the matter and in fact 3 of the complaints which are the subject matter of CRM-M Nos.24398, 24430 and 24433 of 2021 have already been settled and that the complainant has already moved an application for withdrawing 3 of the complaints.

It has further been submitted that the petitioner(s) is also trying to compromise the remaining two matters i.e. the complaints which are subject matter of CRM-M Nos.24441 and 24456 of 2021 and which are likely to be compromised.

Notice of motion for 27.10.2021.

The petitioner(s) is directed to appear before the learned trial Court within a period of 10 days from today. Upon her/his appearance before the trial Court, she/he shall be released on interim bail subject to her/his furnishing bail bonds and surety bonds to its satisfaction.

A photocopy of this order be placed on the file of each connected case. ”

3. Learned counsel for the petitioner submits that 3 of the cases have already been compromised and infact application for withdrawal of complaints have also been filed by the respective complainants in the said 3 cases before the Trial Court. Learned counsel has submitted that the petitioner is willing to compromise the matter in respect of the other 2 complaints also and is willing to deposit the cheque amount but somehow the complainant wants an

amount much more than the cheque amount and on account of which the compromise could not be finalized till date. Learned counsel for the petitioner has, however, informed that pursuant to interim directions the petitioner has caused appearance in all the cases and is regularly appearing before the Trial Court.

4. Learned State counsel has submitted that since the petitioner has already compromised 3 of the complaints and is willing to compromise the other 2 as well, he does not seriously oppose the petitions.
5. In view of the aforestated position, wherein this Court finds that the matters basically arise out of complaints under Section 138 of Negotiable Instruments Act instituted against the petitioner and infact the petitioner has already compromised 3 out of the 5 complaints and has even expressed willingness to compromise the remaining 2 by offering the cheque amount to the complainant, all the five petitions are hereby accepted particularly keeping in view the fact that the petitioner is now stated to be appearing before the Trial Court. Consequently, the interim directions issued by this Court vide order dated 30.6.2021 are hereby made absolute subject to the condition that the petitioner shall appear regularly before the Trial Court and abide by any such condition as may be imposed by Trial Court for ensuring her regular presence.
6. A copy of this order be placed on the file of each connected cases.

27.10.2021

pankaj

**(Gurvinder Singh Gill)
Judge**Whether speaking /reasoned
Whether ReportableYes / No
Yes / No