

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

249

CRM-M-19598-2022

Date of Decision: 06.09.2022

Gurbax Kaur through Power of Attorney Holder Ranjit Singh

..... Petitioner

Versus

Jagir Singh

..... Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Ajiteshwar Singh, Advocate for the petitioner.

Ms. Kuljeet Kaur, Legal Aid Counsel for the respondent.

ANOOP CHITKARA, J. (ORAL)

Learned counsel for the petitioner submits that the limited prayer for which the petitioner has come up before this Court is for quashing of order dated 26.09.2019 whereby she has been declared P.O on the ground that she has immigrated to Canada. She has submitted that she is absolutely willing to attend the trial and she only needs time because of her age constraints and Covid-19 pandemic.

It is a complaint case and the petitioner has been declared as a proclaimed offender for non-appearance.

Learned legal Aid Counsel submits that considering the age of the petitioner to be 82 years, the respondent cannot have any objection qua the limited relief which this Court is giving.

Given the petitioner's age is 82 years, the present petition is allowed to the extent that the petitioner shall appear before the concerned Court latest by 23.12.2022 and no coercive steps shall be taken against her till that date.

It is clarified that the day on which the petitioner shall appear, she shall be at liberty to file an application for bail and the concerned Court shall decide the said bail on the same date most sympathetically. The petitioner is also directed to pay compensation of Rs. 10,000/- of the complainant on the date of appearance.

Learned legal Aid Counsel will be entitled to her fee as per rules.

In case for any pressing reasons, petitioner is unable to come to India and appear, it shall be permissible to file an application seeking extension of time granted.

It is further clarified that in case any look out notice/look out circular has been issued against the petitioner, it shall be permissible for the petitioner to seek its stay by filing a separate petition before this Court.

There would be no need for a certified copy of this order, and any Advocate for the Petitioner and State can download this order and other particulars as may be required, from the official web page of this Court, and attest it to be a true copy. The concerned court can also verify its authenticity and may download and use the downloaded copy for immediate use.

(ANOOP CHITKARA)
JUDGE

06.09.2022
Jyoti-II

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No