

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

CRM-M-26684-2022 (O & M)

Date of decision: 12.07.2022

Jaspal Kaur Matharu

...Petitioner

Versus

Paramjit Kaur

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Naresh Jain, Advocate,
for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

CRM-22686-2022

This is an application for impleading the State of Punjab as a party respondent in the present petition.

Heard.

In view of the above, the present application is allowed. The State of Punjab is impleaded as respondent No.2 in the present petition. Amended memo of parties is taken on record.

CRM-M-26684-2022

Through this petition, the petitioner seeks anticipatory bail in complaint No.67 dated 12.03.2018, under Section 138 N.I.Act, titled as 'Paramjit Kaur Vs. Jaspal Kaur Matharu, pending in the Court of learned Sub Divisional Judicial Magistrate, Gidderbaha, District Sri Muktsar Sahib.

Learned counsel for the petitioner contends that on 27.01.2022, the petitioner-accused could not appear before the trial Court

in the above-noted complaint for the reason that she was to go to Chandigarh; that the trial Court, without assigning any opportunity, had cancelled her bail and issued warrants of arrest against her.

Learned counsel further contends that on 19.05.2022, the petitioner could not appear before the trial Court for the reason that the eye of his mother was operated upon. He further contends that the absence of the petitioner before the trial Court, was not intentional, rather it was due to the aforesaid reasons.

Notice of motion.

On the asking of this Court, Mr. G.N.Malik, Advocate, puts in appearance on behalf of respondent No.1-complainant.

Mr. Harbir Sandhu, AAG, Punjab, accepts notice on behalf of respondent No.2-State.

Learned counsel for respondent No.1 contends that the petitioner is a habitual offender and is facing a lot of litigation of the similar nature; that on 27.01.2022, she absented herself from the court proceedings; that at one stage, she surrendered before the trial Court and was granted the concession of anticipatory bail; that however, on 19.05.2022, she again absented herself from the court proceedings and ultimately, proclamation proceedings have been initiated against her.

Learned counsel for respondent No.1 further submits that the petitioner was taken into custody on 20.05.2022, but somehow, she had escaped from the court premises and accordingly, FIR No.81 dated 21.05.2022, under Sections 223 and 224 IPC, Police Station Gidderbaha, District Sri Muktsar Sahib, had been registered against her.

I have heard the learned counsel for the parties.

In the present case, the petitioner absented herself from the court proceedings, following which her bail was cancelled and the bonds were forfeited to the State.

Keeping in view the facts and circumstances of the present case, but without going into the merits of the case, the present petition is disposed of with a direction to the petitioner to surrender before the trial Court within ten days from today and to move an application seeking the relief of regular bail there. On her doing so, her bail application shall be decided within five days thereafter.

12.07.2022
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No