

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-43572-2022

Date of Decision: 21.9.2022

Sunita Verma

...Petitioner

Versus

State of Haryana

...Respondents

**CORAM:HON'BLE MR. JUSTICE ASHOK KUMAR VERMA**

Present: Mr.Manoj Pundir, Advocate for the petitioner

Mr.Himmat Singh, DAG, Haryana

**ASHOK KUMAR VERMA, J.**

Notice of motion.

On the asking of this Court, Mr.Himmat Singh, DAG,  
Punjab accepts notice on behalf of the State.

Through this petition under Section 438 Cr.P.C. prayer has been made for grant of anticipatory bail to the petitioner in case FIR No.383 dated 2.6.2022 under Section 174-A of the IPC registered at Police Station Ladwa, District Kurukshetra, Haryana. Since the petitioner has been declared Proclaimed offender and in view of the instructions- Court Letter No.11766, Gaz.Ii17 dated 28.7.2015 issued by this Court, whenever the accused is declared as proclaimed offender, the aforesaid FIR has been registered against the petitioner for commission of offence under Section 174-A of the IPC

Learned counsel for the petitioner, *inter alia*, contends that the petitioner was summoned as an accused in a complaint case filed

under Section 138 of the Negotiable Instruments Act in which she appeared before the trial court and was granted bail. Thereafter, she has been regularly appearing before the trial court, except on one date i.e. 5.4.2022 which resulted into cancellation of her bail. Learned counsel submits that the case file was taken up by the trial court on 25.3.2022 which was prior to the date fixed by the trial court i.e. 28.3.2022 as the Presiding Officer was availing casual leave on 28.3.2022 and the case was adjourned to 5.4.2022 for the purpose already fixed. As a result thereof, the petitioner could not appear before the trial court as she was not made aware by her counsel of the said date i.e. 5.4.2022 which resulted into cancellation of her bail. On 25.4.2022, the trial court initiated proclamation proceedings against the petitioner and vide order dated 9.5.2022 (Annexure P-11), proclamation was ordered to be duly effected against the petitioner. Learned counsel further submits that the petitioner challenged the proclamation order of the trial court before this Court being CRM-M-39890-2022 wherein this Court ordered the petitioner to appear before the trial court on 8.9.2022 and on her appearance, the petitioner was ordered to be admitted to bail, vide its order dated 2.9.2022. The aforesaid matter is fixed for further hearing before this Court on 17.11.2022. Pursuant to the aforesaid order dated 2.9.2022 passed by this Court, the petitioner appeared before the trial court and was released on bail vide order dated 8.9.2022 passed by the trial court. Learned counsel further submits that the petitioner was also not keeping good health at that point of time as she was infected with COVID-19 virus in the beginning of this year and thereafter she has been suffering from various ailments. In support of

this, she has annexed medical reports as (Annexure P-5 (A to C). Learned counsel further submits that pursuant to registration of the aforesaid FIR, the police is raiding the house of the petitioner. Nothing is to be recovered from the petitioner and as such no custodial interrogation is required in the matter. The petitioner is already ready and willing to join the investigation.

Having heard learned counsel for parties and considering overall facts and circumstances, petitioner is directed to join the investigation within 7 days from today and remain present before the Investigating Officer as and when called for and in the event of arrest, the petitioner shall be admitted to bail on her furnishing bail bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

This petition is disposed of accordingly.

**(ASHOK KUMAR VERMA)**  
**JUDGE**

**21.9.2022**  
**MFK**

*Whether speaking/reasoned*

*Yes/No*

*Whether Reportable*

*Yes/No*