

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(128)

CRM-M-51270-2022
Date of Decision: 07.11.2022

Gurmej Kaur

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR. JUSTICE RAJESH BHARDWAJ.

Present:- Mr. Mandeep Kumar son of the petitioner in person.

ASI Lakhvir Singh in person.

RAJESH BHARDWAJ.J (Oral)

Lawyers are abstaining from work today.

The present petition has been filed under Section 482 Cr.P.C praying for quashing of order dated 7.5.2014 whereby petitioner has been declared as Proclaimed Offender in case FIR No.72 dated 3.9.2013 registered under section 306 IPC at Police Station, Sadar Banga, District SBS Nagar.

Son of the petitioner, who is present in person submits that the present FIR was lodged against him, his father, mother i.e. the present petitioner, uncle and sister. After investigation his uncle and sister were found innocent and challan was presented against him and his parents. He submits that his mother is about 70 years old and remains bedridden. It is submitted that petitioner was declared Proclaimed Offender by the court on 7.5.2014 as she failed to appear before the court being a rustic woman. He submits that he and his father have been convicted by the learned Trial Court on 31.1.2020 and their sentence has already been suspended in appeal. He submits that his mother is an illiterate lady and she is ready to

appear before the court concerned and hence the proclamation proceedings issued against her may be set aside.

Notice of motion.

ASI Lakhvir Singh, who is present in person submits that the petitioner before this court was granted interim bail and she duly joined the investigation on 22.11.2013, however, thereafter her bail was declined by this court on 11.12.2013. As she did not appear before the Trial Court so she was declared Proclaimed Offender.

I have heard son of the petitioner as well as ASI Lakhvir Singh, who are present in person and have gone through the record carefully.

It is apparent from the record that the petitioner joined investigation on 22.11.2013, however, after dismissal of her bail she did not join investigation and was declared Proclaimed Offender. Petitioner is stated to be about 70 years of age who is ready to appear before the court concerned.

In view of the above position, present petition is disposed of with a direction to the court concerned that in case the petitioner appears before it within a period of seven days from the date of receipt of a certified copy of this order and file an appropriate application for the redressal of her grievances, the same be decided expeditiously in accordance with law. The arrest of the petitioner would remain stayed for a period of seven days from the date of her appearance before the court concerned.

(RAJESH BHARDWAJ)
JUDGE

07.11.2022

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