

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

**CRM-M-8901 of 2023(O&M)
Date of Decision: 21.02.2023**

Asha Saini

...Petitioner

Versus

State of Haryana & Anr.

...Respondents

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

**Present:- Mr. Kunal Dawar, Advocate with
Mr. Jagjot Singh, Advocate
For the petitioner.**

KARAMJIT SINGH, J.

The present petition has been filed by the petitioner seeking quashing of order dated 19.12.2022 (Annexure P-8) passed by learned Judicial Magistrate Ist Class, Gurugram whereby the petitioner is declared as a proclaimed person in a criminal complaint NACT No. 10105/17 dated 31.07.2017, titled as M/s Intec Capital Limited Vs. Sarthak Logistics Private Limited & Ors. under Section 138/ 141 of the Negotiable Instruments Act.

The counsel for the petitioner submits that the impugned order was passed by the learned Trial Court without following the proper procedure as prescribed under Section 82 Cr.P.C. The counsel for the petitioner further submits that the petitioner is a lady aged about 60 years and is suffering from chronic disease and was under regular treatment as is evident from Annexure P-5 (collectively). The counsel for the petitioner further submits that the offence under Section 138 N.I. Act is bailable

offence and the petitioner is ready to join the proceedings in the learned trial Court.

Mr. Naveen Sheoran, DAG Haryana, who has put in appearance on behalf of State-respondent No.1, on service of advance copy of petition submits that the present petition be disposed of with a direction to the petitioner to appear before the learned trial Court subject to deposit of certain cost.

In view of the above, without commenting on the merits of the case, the petitioner is hereby directed to appear before the learned trial Court within next 20 days and on her doing so the petitioner is directed to be released on regular bail by the said Court to its own satisfaction subject to cost of Rs.25,000/- to be deposited by the petitioner with the District Legal Service Authority, Gurugram.

The present petition stands disposed of accordingly.

21.02.2023
Jiten

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No