

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

CRM-M-9421-2023

Date of Decision: 23.02.2023

Meenakshi Sharma

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Ms. Sheena Khanna, Advocate, for the petitioner.

Rajesh Bhardwaj, J.

Prayer in the present petition is for quashing of impugned order dated 17.11.2022 passed by learned Judicial Magistrate Ist Class, Jalandhar in case FIR No.225 dated 25.11.2015, registered under Sections 406, 420, 120-B IPC, at Police Station Navi Baradari, Jalandhar City, District Jalandhar, whereby, the petitioner has been declared proclaimed person.

Learned counsel for the petitioner has submitted that the petitioner is presently residing in Canada. She submits that the petitioner had no knowledge about the registration of the present FIR and she has no concern or connection with the money transaction alleged therein. She further submits that the petitioner has been wrongly declared as proclaimed person vide order dated 17.11.2022 by the trial Court. She submits that the petitioner would return to India positively by 10.04.2023 and join the proceedings and she prays for grant of some protection to her.

Notice of motion.

Mr. Sandeep Kumar, Deputy Advocate General, Punjab, accepts notice on behalf of the State.

Learned State counsel has opposed the submissions made by learned counsel for the petitioner and has stated that the trial Court has

rightly declared the petitioner as proclaimed person on 17.11.2022, who remained absent without any reason.

Keeping in view the facts and circumstances of the case and the fact that the petitioner is ready to join the proceedings by coming India by 10.04.2023 as has been undertaken by her counsel, the present petition is disposed of with a direction that in case the petitioner arrives in India by 10.04.2023 and appears before the court concerned within a period of 10 days of her arrival, then she would have protection from arrest for a period of 10 days from the date of her arrival subject to payment of costs of Rs.25,000/- to be paid with the Poor Patients' Welfare Fund, PGIMER, Chandigarh within a period of 7 days from the date of her landing in India.

In case, the petitioner appears before the trial Court within 10 days of her arrival as stated above and files an appropriate application for bail alongwith the receipt of payment of costs, then the Court concerned would decide the same expeditiously within a period of 3 days from the date of its filing.

Needless to say that in case the petitioner fails to comply with the abovesaid direction, she will have no benefit of abovesaid protection granted by this Court.

23.02.2023			(RAJESH BHARDWAJ)
sharmila			JUDGE
	Whether Speaking/Reasoned	:	Yes/No
	Whether Reportable	:	Yes/No