

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

**CRM-M-30732-2023 (O&M)
Date of decision : 13.09.2023**

KIRAN

....Petitioner

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Anshumaan Dalal, Advocate
for the petitioner.

Mr. R.K. Ambavta, AAG, Haryana.

PANKAJ JAIN, J. (ORAL)

Reply by way of affidavit of Rakesh Kumar, H.P.S. Deputy Superintendent of Police, Sample, Distt. Rohtak on behalf of the respondent/State has been filed today in Court. The same is taken on record.

2. On 27th of July, 2023 following order was passed :

“This is an application seeking extension of time to surrender before the Illaqa/Duty Magistrate, Rohtak vide order dated 16.06.2023.

The petitioner was granted one week time on 16.06.2023 to surrender before the Illaqa/Duty Magistrate observing as under:

“Challenge in the present petition is to the order dated 25.02.2022 (Annexure P-2), whereby the bail bonds of petitioner were cancelled as well as the order dated 20.05.2023 (Annexure P-5), whereby the petitioner is declared as proclaimed person.

Counsel for the petitioner contends that the

petitioner being a resident of Mumbai was not apprised of the date fixed before the trial Court and thus missed out the same. The subsequent dates were not communicated by her family members as they were not in talking terms with the petitioner as she solemnized marriage contrary to their wishes. Counsel for the petitioner undertakes that the petitioner shall appear before the Illaqa/ Duty Magistrate, Rohtak, within a period of one week from today.

Notice of motion for 13.09.2023.

In the event of the petitioner appearing before the Illaqa/ Duty Magistrate, Rohtak, within a period of seven days from today, she may be admitted on bail by the Illaqa/Duty Magistrate subject to her furnishing bail bonds to the satisfaction of the Illaqa/Duty Magistrate. The petitioner shall also deposit a cost of 10,000/- with the District Legal Services Authority, Rohtak”

Counsel for the applicant-petitioner prays for one week's more time for the petitioner to surrender before the Illaqa/Duty Magistrate. Prayer is accepted.

The applicant-petitioner is directed to appear before the Illaqa Magistrate on 04.08.2023. On doing so, she may be admitted on bail by the Illaqa/Duty Magistrate subject to her furnishing bail bonds to the satisfaction of the Illaqa/Duty Magistrate. The petitioner shall also deposit a cost of 10,000/- with the District Legal Services Authority, Rohtak. Adjourned to 13.09.2023.

4. Today counsel representing the petitioner has produced copy of order dated 2nd of August, 2023 which shows that the petitioner appeared before the Trial Court and stands admitted to bail.
5. In view of above, the impugned order dated 25th of February, 2022 (Annexure P-2) whereby the bail bonds of the petitioner were

cancelled and that order dated 20th of May, 2023 (Annexure P-5) whereby the petitioner was declared as Proclaimed Person have lost its sting.

6. Consequently, order admitting the petitioner to bail is hereby made absolute.

7. Petition is disposed off accordingly.

September 13, 2023
Dpr (Pankaj Jain)
Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No