

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

123

CRM-M-45058-2023

Date of decision: 11.09.2023

Jaswinder Kaur and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Avtar S. Khinda, Advocate for the petitioners.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioners are seeking quashing of order dated 03.10.2022 (Annexure P-2) passed by learned Sub Divisional Judicial Magistrate, Bholath, District Kapurthala, whereby they were declared proclaimed persons in case FIR No.51 dated 05.05.2020 under Sections 188, 269, 270, 506 of the IPC and Section 54 of the Disaster Management Act, 2005 registered at Police Station Begowal, District Kapurthala.

2. Learned counsel for the petitioners submits that the impugned order had been passed without proper compliance of Section 82 of the Cr.P.C. Learned counsel submits that it was a matter of record that proclamation was issued before the expiry of mandated 30 days period. Learned counsel further submits that the petitioners are willing and ready to appear, and surrender before the Trial Court. Hence, in the aforementioned facts and circumstances, the petitioners be protected till his appearance before the Trial Court and with directions to the Trial Court that their bail application, which they would be filing on their

surrender, be decided expeditiously.

3. Notice of motion.

4. On asking of the Court, Mr. I.P.S. Sabharwal, DAG, Punjab accepts notice on behalf of respondent No..1-State.

5. In view of the limited prayer made by the learned counsel for the petitioners, the instant petition is disposed of with directions to the petitioners to appear and surrender before the Trial Court within 07 days from today. Till then, no coercive steps be taken against the petitioners.

6. It is made clear that in case, the petitioners fail to surrender before the Trial Court within 07 days from today, this order shall be of no avail to them, thereafter. In case, on appearance and surrender, the petitioners move an application for bail before the Trial Court, the same shall be decided expeditiously, by the Trial Court, in accordance with law.

11.09.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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