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

CRM-M-9617-2024

Date of decision: 26.02.2024

Lachmi Bai @ Samitro Devi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. H.S. Bhogal, Advocate for the petitioner.

Mr. J.S. Dhaliwal, AAG, Punjab.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioner seeking quashing of order dated 22.01.2024 Annexure P-1 passed by the Court of Additional Sessions Judge, Ludhiana whereby proclamation proceedings under Section 82 Cr.P.C have been initiated against the petitioner in criminal case having FIR No. 86 dated 27.04.2022 under Section 379-B, 411 of IPC, Police Station Sidhwan Bet, District Ludhiana.

2. Counsel for the petitioner submits that the absence of the petitioner before the learned trial Court was not intentional as the petitioner being a lady aged about 65 years was not aware of the fact that her case was transferred from one Court to another Court and that is the only reason for her absence before the trial Court. Counsel for the petitioner further submits that earlier to the transfer of her case, she was regularly appearing before the trial Court and that even in future, the petitioner will remain careful.

3. Notice of motion.

4. Mr. J.S. Dhaliwal, AAG, Punjab accepts notice on behalf of the State and on instructions from ASI Naseeb Chand submits earlier the petitioner was on bail but she got absented and consequently bail/surety bonds were cancelled and the trial Court issued warrants of arrest and the petitioner also failed to respond to the warrants of arrest and consequently order Annexure P-1 passed by the trial Court, is in accordance with law and there is no illegality or perversity in the same.

5. It is apparent that petitioner jumped the bail and consequently, her warrants of arrest were issued and now proceedings under Section 82 Cr.P.C. are initiated against the petitioner. As has been stated by the counsel for the petitioner that the petitioner is ready to join the proceedings before the trial Court.

6. In light of the above, without expressing any opinion on the merits of the case and in order to avoid any further delay in trial, the petitioner is hereby directed to appear before the trial Court 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.5,000/- to be deposited by the petitioner with the DLSA concerned.

7. The present petition is disposed of in aforesaid terms.

26.02.2024

Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No