

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

102 CRM-M-8777-2024
Date of Decision : February 27, 2024

LALITA -PETITIONER

V/S

STATE OF HARYANA -RESPONDENT

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Yashveer Kharb, Advocate
for the petitioner.

Mr. Bhupender Singh, D.A.G., Haryana.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant petition, as instituted under Section 438 of the Cr.P.C., the petitioner has sought the concession of anticipatory bail, in case FIR No.48 dated 22.01.2020, under Section 174-A of the IPC, registered at P.S. Chandni Bagh, District Panipat.
2. What emanates from the record available before this Court, is that, earlier the petitioner had filed an application for grant of anticipatory bail in the FIR (supra), before the learned Sessions Judge, Panipat, however, the same was dismissed by the latter vide order dated 15.01.2024, on the ground that, since the petitioner has been declared as “Proclaimed Person”, therefore, she does not deserve the benefit of anticipatory bail.
3. The learned counsel for the petitioner submits that, vide order dated 03.01.2020, the petitioner has been declared as “Proclaimed Person” in a private complaint bearing No.NACT/1750/2017, as instituted under

Section 138 of the Negotiable Instruments Act, 1881. By drawing attention of this Court towards the order dated 10.01.2024, which is enclosed in Annexure P-2, and, whereby the petitioner had been admitted to bail in the complaint (supra), he submits that once the petitioner had caused appearance before the learned trial Court concerned and thereupon released on bail, therefore, pursuant upon his appearance, the operation of the proclamation order (supra) ceases to operate.

4. Nonetheless, the learned counsel for the petitioner further submits that the proclamation order (supra) has already been assailed by the petitioner, through his filing CRM-M-5802-2024, before this Court, wherein, notice of motion has also been issued for 29.04.2024. Moreover, the petitioner is also ready and willing to join the proceedings of the instant FIR, as he does not have any intent to abscond from the clutches of law.

5. Notice of motion.

6. Mr. Bhupender Singh, D.A.G., Haryana, waives service of notice on behalf of the respondent-State.

7. Taking into consideration the innocuous and *bona fide* submission(s) made by the learned counsel for the petitioner, this Court deems it appropriate to direct the petitioner to, within 15 days from today, join the investigation with the investigating officer concerned. Moreover, a direction is also issued to the investigating officer concerned to, in case the petitioner joins investigation, admit him to regular bail. The arrest of the petitioner shall remain stayed only till next 15 days.

8. However, it is clarified that, in case the petitioners fails to

join the investigation within the stipulated period, the interim protection, as granted hereinabove, shall stand *ipso facto* vacated, without any further reference to this Court.

9. Disposed of accordingly.

February 27, 2024
devinder

(KULDEEP TIWARI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No