

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

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CRM-M-10335-2024

Date of Decision : September 06, 2024

GURVINDER KAUR

-PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Umesh Aggarwal, Advocate
for the petitioner.

Mr. Pardeep Bajaj, D.A.G., Punjab.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant petition, as instituted under Section 482 of the Cr.P.C., a prayer is made for quashing/setting aside the order dated 22.11.2023 (Annexure P-1), as passed by the learned Judicial Magistrate 1st Class, Amritsar, whereby, the petitioner has been declared a “Proclaimed Person”, in case bearing CIS No. NACT/698/2021.

2. Record reveals that, earlier also the petitioner was declared a “Proclaimed Person” vide order dated 16.03.2023, and thereupon, she was granted the concession of regular bail vide order dated 13.07.2023. However, subsequently when the petitioner again absented herself from the trial proceedings, then vide order dated 04.09.2023, her bail was cancelled and her bail/surety bonds were also forfeited. Moreover, non bailable warrants of arrest were also issued against her. Finally, the petitioner was again declared a “Proclaimed Person” vide the impugned order dated 22.11.2023.

3. Although the learned counsel for the petitioner has herein challenged the impugned order (Annexure P-1), however, he could not cite

any illegality or perversity therein. Therefore, he submits that the petitioner does not have any intention to escape from the clutches of law, rather she is ready and willing to join the trial proceedings, in case she is granted adequate protection.

4. Considering the innocuous prayer of the learned counsel for the petitioner, although this Court does not find any illegality or perversity in the impugned order (Annexure P-1), however, taking a lenient view, this Court, at this stage, deems it appropriate to grant an opportunity to the petitioner to appear before the learned trial Court concerned.

5. Consequently, the instant petition is disposed of with a direction to the petitioner to appear before the learned trial Court concerned within 10 days from today. In case, the petitioner appears within the above stipulated period and makes an application for grant of bail, the learned Judge concerned shall make an endeavour to decide the said application within 02 days.

6. Disposed of accordingly.

September 06, 2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No