

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

123

CRM-M-12754-2024 (O&M)
Date of decision: 01.04.2024

SUKHSAGAR KAUR GILL

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Ms. Anju Arora, Advocate
for the petitioner.

Mr. Pardeep Bajaj, DAG, Punjab.

KULDEEP TIWARI. J.(Oral)

1. Though the instant petition, challenge is thrown to the order dated 28.07.2017, and order dated 21.07.2017 (Annexure P-3), whereby, the petitioner has been declared as proclaimed offender by the learned trial Court concerned, in case FIR No.0151 dated 10.09.2016, under Sections 509, 506, 323, 150, 120-B of IPC, registered at Police Station Mehatpur, Jalandhar Rural.
2. Learned counsel for the petitioner submits that, immediately after lodging of the FIR (supra), the husband of the petitioner filed an application before the NRI commission, for the false implication in the instant FIR as registered against them. The NRI Commission initiated the investigation, and asked for the report from the investigating agency. Learned counsel for the petitioner further submits that instead of filing the report with the NRI Commission, the investigating agency hurriedly submitted the final report under Section 173 Cr.P.C, against the present petitioner, as well as her husband, and

thereupon, a further investigation was conducted, and the cancellation report was filed before the learned Illaqa Magistrate. Learned counsel for the petitioner submits that during the interregnum period, the petitioner left India, as the matter was under investigation at different levels, which led the learned trial Court concerned to pass the impugned order (Annexure P-3). Learned counsel for the petitioner also submits that the learned trial Court concerned rejected the cancellation report as prepared by the investigating agency, and ordered to proceed with the trial against the present petitioner. Learned counsel for the petitioner also submits that co-accused Iqbal Singh, husband of the present petitioner has already died.

3. Though the learned counsel for the petitioner has herein challenged the impugned orders (supra), however, she could not cite any illegality or perversity in the impugned order (supra). Instead she narrated above stated version to submit that the petitioner has no intention to run away from the clutches of law, rather she is ready and willing to join the trial Court proceedings, in case she is granted an adequate protection.

4. Considering the above submissions and circumstances, this Court directs the petitioner to appear before the learned trial Court concerned within 20 days from today. In case the petitioner appears before the learned trial Court concerned within 20 days from today, and moves an appropriate application for grant of regular bail before the learned trial Court concerned, the latter shall make every endeavor to decide the bail application, if any, moved, most expeditiously, preferably on the same day. Only till then the arrest of the petitioner shall remain stayed.

5 It is further made clear that in case the petitioner does not cause an

appearance before the learned trial Court concerned, within 20 days from today, the interim protection as granted by this Court shall be *ipso facto* vacated, without any further reference to this Court.

6. **Disposed** of accordingly.

01.04.2024
amandeep

(KULDEEP TIWARI)
JUDGE

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