



**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-22294-2023

Date of Decision:-08.05.2024

Gurmit Kaur.

.....Petitioner.

Versus

State of Punjab & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Parvinder Singh, Advocate for the Petitioner.

Mr. Harkanwar Jeet Singh, AAG Punjab.

JASJIT SINGH BEDI, J. (ORAL)

The prayer in the petition under Section 482 Cr.PC is for quashing of the Order dated 26.08.2019 (Annexure P-7) passed by the JMIC, Hoshiarpur whereby the petitioner has been declared as proclaimed offender in case FIR No.17 dated 11.11.2017 under Sections 420, 465, 467, 471, 120-B IPC registered at P.S. NRI, Hoshiarpur.

On 04.05.2023 the following order was passed:-

“ It is submitted that issuance of proclamation against the petitioner was not justified as statement of Sarpanch dated 16.08.2018 (Annexure P-4) recorded at the time of service of non-bailable warrants reveals that the petitioner was not in India.

Notice of motion.

Mr. Kamalpreet Bawa, AAG, Punjab, accepts notice on behalf of respondent No.1 and waives service.

Respondents No.2 & 3 be served in the ordinary manner.

The petitioner is directed to surrender before the trial



Court on or before 28.05.2023 and seek regular bail. In case, such an application is filed, the same shall be allowed.

Adjourned to 04.08.2023.”

On 04.08.2023 the following order was passed:-

“ Learned counsel for the petitioner submits that the petitioner had surrendered before the Trial Court on 02.06.2023, in compliance of the order dated 04.05.2023 and has been admitted to interim regular bail.

In the meantime, he is directed to appear before the Trial Court on each and every date of hearing.

Learned State counsel prays for time to file reply and is granted one last opportunity to do the needful.

Adjourned to 05.10.2023.”

In pursuance to the aforementioned orders the petitioner has appeared and has since been granted bail.

In view of the fact that the petitioner has joined the proceedings and is now facing trial, no useful purpose would be served by allowing the proceedings emanating out of the order dated 26.08.2019 (Annexure P-7) to continue.

Therefore, the order dated 26.08.2019 (Annexure P-7) passed by the Judicial Magistrate Ist Class, Hoshiarpur vide which the petitioner has been declared as proclaimed offender stands quashed subject to a deposit of Rs.50,000/- as costs with Day Care Centre for Elderly Disabled in home for Old and Destitute People, Sector 15, Chandigarh

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

May 08, 2024
Vinay

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