

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-46097-2023
Date of Decision: 19.1.2024

Baldish Kaur

....Petitioner

VERSUS

State of Punjab and another

....Respondents

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Sahil Soi, Advocate,
for the petitioner.

Mr. Jashanpreet Singh, DAG, Punjab.

KARAMJIT SINGH, J. (Oral)

Present petition has been filed by the petitioner seeking quashing of order dated 15.4.2011 (Annexure P-8) whereby the petitioner was declared as proclaimed offender in criminal case having FIR No.133 dated 23.11.2009 registered under Sections 420, 468, 471, 465, 467, 120-B IPC at Police Station Goraya, District Jalandhar by the Court of Judicial Magistrate, 1st Class, Phillaur.

2. Counsel for the petitioner, *inter alia* submits that at the relevant time, when PO proceedings were initiated against the petitioner and when the impugned order was passed, the petitioner was not available in India and no notice or warrants with regard to pendency of the aforesaid criminal case were received by the petitioner through Embassy of the concerned country i.e. U.K. It is further submitted that even otherwise, the impugned order was not passed in conformity with the mandatory provisions of Section 82 of Cr.P.C. and on the last date of hearing, the petitioner was given directions to

surrender before the trial Court and on her doing so, the trial Court was directed to release the petitioner on interim bail to its own satisfaction subject to deposit of costs of ₹ 25,000/- with Poor Patient Welfare Fund, PGIMER, Sector 12, Chandigarh.

3. Counsel for the petitioner further submits that in compliance of the said order, costs of ₹ 25,000/- was deposited and the petitioner joined the proceedings with the learned trial Court and is presently, on interim bail.

4. In view of the fact that the petitioner has already joined the proceedings in the trial Court and further, the impugned order being not passed in accordance with law, same is hereby set aside and order of interim bail dated 31.10.2023 is made absolute.

(KARAMJIT SINGH)
JUDGE

January 19, 2024
Paritosh Kumar

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