



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

CRM-M-44345-2024

Date of Decision: September 09, 2024

ARSHDEEP KAUR @ ARSHDEEP KAUR GHARU

....Petitioner(s)

VERSUS

STATE OF PUNJAB

....Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Parminder Singh Sekhon, Advocate
for the petitioner.

Mr. Jaspal Singh Guru, AAG, Punjab.

SANDEEP MOUDGIL, J.(ORAL)

This is a petition under Section 482 Cr.P.C. for quashing of impugned order dated 19.02.2020 (Annexure P-3) passed by Judicial Magistrate 1st Class, Jagraon in case FIR No.72 dated 24.04.2019 under Sections 341, 325, 323, 506, 34 IPC, registered at Police Station Sidhwan Bet District Ludhiana (Rural) vide which the bail granted to the petitioner has been cancelled, the bail bonds/surety bonds have been forfeited to the State and further for quashing of impugned order dated 04.01.2024 (Annexure P-13) passed by Judicial Magistrate 1st Class, Jagraon in case FIR No.72 dated 24.04.2019 under Sections 341, 325, 323, 506, 34 IPC, registered at Police Station Sidhwan Bet District Ludhiana (Rural) vide



which the petitioner has been declared as proclaimed absconder without complying the provisions of Section 82 Cr.P.C.

Learned counsel for the petitioner submits the petitioner could not appear in Court on one date i.e. 19.02.2020 due to unavoidable circumstances. The petitioner did not had any intention to avoid attendance in the Court proceedings otherwise he was appearing regularly on each and every date before the Court. He undertakes that the petitioner will surrender before the trial Court and shall join the trial proceedings without any delay or default in future.

Notice of motion. On the asking of the Court, learned State Counsel accepts notice on behalf of the respondent-State, who is not averse to the undertaking given by the petitioner that she will surrender before the trial Court.

Considering the submissions made by learned counsel and also in appreciation of the fact that it will only speed up the proceedings before the Trial Court which is one of the essence as enshrined under Article 21 of the Constitution of India, the petitioner is directed to surrender before the trial Court within a period of one week week from today and apply for regular bail.

In case, such an application for bail is moved by the petitioner before the learned trial Court, the same shall be considered on the same date and decided in accordance with law.

However, it is made clear that in case the petitioner does not abide by the aforesaid undertaking, the respondent/State shall be at liberty to move an appropriate application for revival of the instant petition.



The aforesaid order/concession to the petitioner shall be subject to payment of costs of Rs.10,000/- to be deposited with the Punjab and Haryana High Court Employees Association, Chandigarh and a receipt of the same be produced before the Trial Court and only in that eventuality, application of the petitioner for seeking bail be considered and decided on the same day in accordance with law.

The instant petition is disposed of in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

09.09.2024
Sangeeta

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