



CRM-M-52892-2024

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

CRM-M-52892-2024

Date of Decision: 24.10.2024

Neelam Rani

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. G.S. Brar, Advocate, for the petitioner.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for quashing of the order dated 10.09.2024 (Annexure P-4) passed by learned JMIC, Phillaur vide which the petitioner has been declared proclaimed offender in a case FIR No.98 dated 30.05.2019, under Sections 406, 420 IPC and Section 13 of Travel Professional Regulation Act, 2014, Police Station Goraya, District Jalandhar Rural.

2. It has been contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present FIR. He submits that the petitioner was unaware about the filing of the FIR as she was in abroad. He submits that non-bailable warrants were issued against the petitioner and she was declared proclaimed offender vide order dated 10.09.2024 behind her back. He further submits that now the petitioner has returned India and come to know about the FIR lodged against her. He submits that the petitioner has compromised the matter with the complainant by giving the amount in question and has also filed CRM-M-47708-2024 for quashing the FIR on the basis of the compromise. The compromise between the parties has been placed on record as Annexure P-

2.He submits that now the petitioner is ready to join the



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investigation/proceedings and face the trial and as such the order dated 10.09.2024, vide which she was declared as proclaimed offender, is liable to be set aside.

3. Notice of motion.

4. Mr. Tarun Aggarwal, Sr. DAG, Punjab, accepts notice on behalf of the State and has submitted that the petitioner has rightly been declared as proclaimed person by the trial Court as she remained absent from Court.

5. Heard.

6. After hearing learned counsel for the parties and perusing the record, it is evident that the petitioner was declared as proclaimed offender by the trial Court as she failed to appear before it and now she has settled the dispute with the complainant by giving the amount in question and petition for quashing the FIR on the basis of compromise has also been filed by the petitioner. Now the petitioner is keen to join the proceedings and face the trial. In these circumstances, when the petitioner is ready to join the proceedings and face the trial, the order dated 10.09.2024 is set aside subject to payment of Rs.10,000/- as costs to be paid by the petitioner to the Gurudwara Sri Guru Singh Sabha, (registered) Sector -7C, Chandigarh within a period of seven days from today.

7. The petitioner is directed to appear before the trial Court within a period of ten days from today and file an appropriate application alongwith the receipt of costs of Rs.10,000/- and the trial Court would grant her bail till the disposal of the main case on her furnishing bail/surety bonds to its satisfaction and thereafter, shall proceed with the case as per law. The



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petitioner will have protection from arrest for a period of ten days from today. The trial Court is free to impose any condition on the petitioner while admitting him to bail.

8. Needless to say that in case the petitioner fails to comply with the abovesaid direction, this order would be of no avail to him and the order dated 10.09.2024 will come in force and the present petition shall be deemed to have been dismissed.

9. Petition stands disposed of in abovesaid terms.

24.10.2024
sharmila

Whether Speaking/Reasoned
Whether Reportable

(RAJESH BHARDWAJ)
JUDGE

: Yes/No
: Yes/No