



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

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CRM-M-53919-2024

Date of Decision:- 10.12.2024

Kashmir Kaur

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. J.S.Thind, Advocate for petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

AMARJOT BHATTI, J.

1. Petitioner Kashmir Kaur has filed petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of pre-arrest bail in FIR No.16 dated 18.01.2017, under Sections 406, 420, 506, 120-B of IPC, registered at Police Station Ellenabad and quashing of impugned order dated 04.09.2024 (Annexure P-3) whereby proclamation proceedings have been initiated against her or for any other relief which the Court may deem fit in the present case.

2. Learned counsel for petitioner argued that initially petitioner was found innocent and she was not challaned. Later on during the pendency of trial application was filed by complainant under Section 319 Cr.P.C. and she is ordered to be summoned vide order dated 04.09.2024 (Annexure P-3). At present, proclamation proceedings have been initiated against her. She is ready to face the trial and abide by the terms of bail order.



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3. Detailed status report has been filed. Aforesaid factual position is confirmed in the status report. However, it is pointed out that since passing of order dated 13.03.2024, several efforts were made to procure the presence of petitioner but failed and ultimately proclamation proceedings have been issued. Learned counsel representing State has also annexed recent zimni order dated 08.11.2024 (Annexure R-3) vide which proclamation was issued for 17.12.2024.

4. I have considered the aforesaid factual position. Petitioner is ready to face the trial. She is summoned on application under Section 319 Cr.P.C. It is a matter of record that process was issued time and again to procure her service and trial court was compelled to issue proclamation proceedings. Now the next date fixed in this case is 17.12.2024.

In the light of aforesaid factual position, petitioner is directed to surrender before the trial Court/Duty Judge concerned on or before the date fixed before the trial Court i.e. 17.12.2024 and she be released on bail to the satisfaction of trial Court. Failing which, learned trial Court may proceed as per law.

5. Petition is accordingly disposed of.

6. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

10.12.2024

Sunil Devi

(AMARJOT BHATTI)
JUDGE

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