

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

128 (a)

CRM-M-63087-2023

Date of Decision.:21.03.2024

Manpreet Kaur and Another

Petitioners

Vs.

State of Punjab and Another

Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Munish Raj Chaudhary, Advocate
for the petitioners.

DEEPAK GUPTA, J. (ORAL)

By way of this petition filed under Section 482 Cr.P.C., prayer is made to quash order dated 07.11.2019 (Annexure P-1), whereby the two petitioners were declared proclaimed offenders during the proceedings of case FIR No.154 dated 16.12.2016 registered at Police Station Lehra, District Sangrur under Sections 420, 467, 468, 471, 120-B of the IPC. Direction was also given by the Trial Court vide said order dated 07.11.2019 to register FIR under Section 174-A of the IPC.

Learned counsel for the petitioners submits that FIR under Section 174-A of the IPC has not been registered against them, that matter in the main case i.e. FIR No.154 dated 16.12.2016 has already been compromised between the parties and that petitioners are ready to surrender before the Court.

Notice of motion.

Mr. Sahil R. Bakshi, AAG, Punjab accepts notice on behalf of respondent No.1- State whereas Mr. D.P.S. Joura, Advocate puts his appearance on behalf of respondent No.2.

Learned State Counsel has drawn attention towards the fact that both the petitioners were earlier on bail. They breached the conditions of bail due to which their bail was cancelled and later on they were declared proclaimed offender.

This petition is hereby disposed of with the direction to the petitioners to surrender before the Trial Court concerned on or before 05.04.2024. On their such appearance, the Trial Court will initiate proceedings under Section 446 Cr.P.C. against the petitioners and after disposal thereof, shall admit the petitioners to bail.

It is made clear that till the disposal of proceedings under Section 446 Cr.P.C., petitioners shall not be taken into custody. If in the meantime, petitioners are sought to be arrested on account of being declared as proclaimed offender, they shall be admitted to interim bail to the satisfaction of Arresting Officer.

In addition to the proceedings under Section 446 Cr.P.C., an additional cost of ₹50,000/- (₹25,000/- each) is also imposed upon the petitioners, which they are directed to deposit with District Legal Services Authority, Sangrur.

(DEEPAK GUPTA)
JUDGE

March 21, 2024
Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No