

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

127

CRM-12973-2024 in/and
CRM-M-64890-2023
Date of decision: 01.04.2024

Rajpal KaurPetitioner

Versus

State of PunjabRespondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Rajesh Bhatheja, Advocate for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

CRM-12973-2024

1. At the outset, learned counsel for the petitioner submits that in the prayer clause of the application it has been wrongly mentioned that it is an application under Section 151 of the Cr.P.C. instead of Section 482 of the Cr.P.C. and the said mistake may be allowed to be corrected.

2. On his oral request, prayer clause of the application is allowed to be corrected by mentioning Section 482 of the Cr.P.C. instead of Section 151 of the Cr.P.C. The Registry is directed to do the needful.

3. Prayer in the instant application is for advancing the date of hearing of main case from 29.07.2024 to some early date and for placing on record copy of air ticket of the petitioner as Annexure A-1.

4. Notice of the application.

5. Learned State counsel accepts notice of the application.

6. In view of the reasons mentioned in the application, the same is allowed and the date of hearing of the main case is advanced from 29.07.2024 to today itself and copy of air ticket of the petitioner is taken on record as Annexure A-1 subject to all just exceptions.

CRM-M-64890-2023

7. The petitioner is seeking quashing of FIR No.83 dated 26.07.2011 under Sections 420, 465, 467, 468, 471, 120-B of the IPC registered at Police Station Dharamkot, District Moga along with all consequential proceedings arising therefrom. The petitioner is also impugning the order dated 08.12.2011 passed by learned JMIC, Moga (Annexure P-2) whereby he was declared a proclaimed offender.

8. Learned counsel for the petitioner at the outset submits that the petitioner is willing and ready to appear, and surrender before the Trial Court. To show her bonafide, the petitioner has also placed on record a copy of her air ticket as Annexure A-1 as per which the petitioner is arriving in India on 20.04.2024. Hence, in the aforementioned facts and circumstances, the petitioner be protected till her appearance before the Trial Court and with directions to the Trial Court that her bail application, which he would be filing on her surrender, be decided expeditiously.

9. In view of the limited prayer made by the learned counsel for the petitioner, the instant petition is disposed of with directions to the petitioner to appear and surrender before the Trial Court on or before 24.04.2024. Till then, no coercive steps be taken against the petitioner.

CRM-12973-2024 in/and
CRM-M-64890-2023

10. It is made clear that in case, the petitioner fails to surrender on or before 24.04.2024, this order shall be of no avail to her, thereafter. In case, on appearance and surrender, the petitioner moves an application for bail before the Trial Court, the same shall be decided expeditiously, by the Trial Court, in accordance with law.

01.04.2024

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(MANJARI NEHRU KAUL)
JUDGE

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