



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

**CRM-M-3801-2025  
DECIDED ON: 23.01.2025**

**KARANJIT KAUR**

**.....PETITIONER**

**VERSUS**

**STATE OF PUNJAB AND ANOTHER**

**.....RESPONDENTS**

**CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. M.S. Dhami, Advocate  
for the petitioner.

**SANDEEP MOUDGIL, J (ORAL)**

1. The jurisdiction of this Court has been invoked under Section 528 of BNSS Act, 2023 for setting aside the impugned order dated 20.12.2019 (Annexure P-5) passed by trial Court in complaint No.NACT/259/2018 dated 23.04.2018 vide which the petitioner has been declared proclaimed person.
2. Learned counsel for the petitioner submits that the petitioner was unable to appear before the trial Court as she was in Mumbai during the relevant period, accompanying her mother, who is a cancer patient undergoing treatment there. Upon her return from Mumbai, the petitioner became aware of the impugned orders passed in the aforementioned complaint. It is further submitted on behalf of the petitioner that her sister has repaid the majority of the amount owed to the respondent No. 2/complainant. The petitioner undertakes before this Court that she is ready and willing to participate in the trial proceedings.

3. Be that as it may, without going further into the technicalities once the petitioner is ready and willing to join the trial proceedings, as has been undertaken before this Court, this Court deem it appropriate to dispose of the petition at this stage itself.

4. The petitioner shall surrender before the trial Court within a period of 15 days from today and in case, she moves an application for regular bail on that day or any other subsequent date, same may be considered and decided in accordance with law preferably on that very day itself.

5. However, this Court is also sanguine of the fact that due to absence may be on account of the reasons, as has been detailed in the petition and submitted before this Court during the course of hearing, the fact remains that trial has been delayed unnecessarily in a complaint bearing No.NACT/259/2018 dated 23.04.2018 , under Section 138 of Negotiable Instruments Act, 1881 and on that account, the judicial process is not only withheld but the rights of the complainant have also been effected.

6. As a penalty for causing delay in the judicial process in the instant complainant, which is inordinate in nature ranging for more than 5 years as on date, he is penalized with a cost of Rs.10,000/-. The cost shall be deposited with the Poor Patient Welfare Fund, PGIMER, Chandigarh.

7. A copy of receipt qua the deposit of such cost shall be furnished before the trial Court at the time of surrender.

8. The petition stands disposed off, in the aforesaid terms.

(SANDEEP MOUDGIL)  
JUDGE

23.01.2025

Meenu

*Whether speaking/reasoned*      *Yes/No*  
*Whether reportable*              *Yes/No*