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2025:PHHC:097569



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

**CRM-M-32452-2025
DECIDED ON: 07.07.2025**

APARNA PURIPETITIONER

VERSUS

STATE OF HARYANARESPONDENT

CRM-M-32307-2025

APARNA PURIPETITIONER

VERSUS

STATE OF HARYANARESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Vipul Joshi, Advocate
for the petitioner.

Mr. Chetan Sharma, DAG Haryana

SANDEEP MOUDGIL, J (ORAL)

By way of this common order, this Court proposes to dispose of both the aforementioned petitions, as same are involved common question of law. For the sake of convenience and to avoid repetition, the facts are being referred from CRM-M-32452-2025.

1. Relief sought

The jurisdiction of this Court has been invoked under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 read with Section 438 of the Criminal Procedure Code, 1973 praying for grant of Anticipatory Bail

to the present Petitioner in connection with FIR No. 42 dated 17.02.2018 (Annexure P/1) registered against the present Petitioner at Police Station: Kalayat, District: Kaithal, Haryana for the offence punishable under Sections 174-A of the Indian Penal Code, 1860.

2. Prosecution story setup in the present case as per the version in the FIR as under:-

“Today on 17.02.2018, a complaint CNR No.HR. KHO3 - 18463-2016 has been received from the Palice station th, i the Cour of Smt. Alka rani, JMIC, Kaithal at the Police station through post, in which the complainant 1. M/S RAMESH KUMAR COMMISSION AGENT ANAJ MANDI KALAYAT THROUGH ITS PARTNER RAMESH KUMAR S/O SH. CHATTER SINGH RESIDENT OF KALAYAT 2. RAMESH KUMAR S/O SH. CHATTER SINGH PARTNER M/S RAMESH KUMAR BALBIR SINGH COMMISSION AGENT ANAJ MANDI KALAYAT THROUGH ITS ATTORNEY SH. JOGDHIAN VERSUS AMIRA PURE FOODS PRIVATE LTD., B-1/E-28 MOHAN CO-OPERATIVE INDUSTRIAL ESTATE NEW DELHI DE NO. 110044 IN THROUGH ITS DIRECTORS 1. RAHUL SOOD 2. KARAN A CHANANA 3. SHYAM PODDAR 4. RAJESH ARORA 5. APARNA PURI ACCUSED COMPLAINT CASE NO. 218 OF 2016 D.I.O. 03-12-2016 CIS NO. 1111/2016 U/S 138 NI ACT CNR.NO.HRKH03-008463-2016 CIS [NO.NI](#) ACT/ 1111/2016 M/s Ramesh Kumar through Ramesh Vs M/s Amira Pure Food Pvt. Ltd. Present: Complainant in person represented by Sh. A.K.Goel, Advocate. None for accused Rahul Sood, Karan A Chanana, ShyamPoddar, Rajesh Arora, AparnaPuri. Today, the case was fixed for presence of accused Rahul Sood, Karan AChanana, ShyamPoddar, Rajesh Arora and AparnaPuri through proclamation. Statement of serving constable AsiKarambirsingh no. 584 is recorded today vide which he has stated that he has

affixed proclamation on 18.12.2017 at the company of accused at New Delhi, another at the common place and at the court notice board. However, accused Rahul Sood, Karan AChanana, ShyamPoddar, Rajesh Arora and AparnaPurinot present. Requisite period of one month has been expired. Case called several times since morning, but accused Rahul Sood, Karan Achanana, ShyamPoddar, Raiesh Arora and AparnaPuri have not come present. It is already 3,40 p.m. No further wait is justified. Hence, accused Rahul Sood, Karan AChanana, ShyamPoddar, Rajesh Arora and AparnaPuri are hereby declared proclaimed person. Copy of this order by sent to the concerned SHO, directing him to register FIR against proclaimed persons namely Rahul Sood, Karan AChanana, ShyamPoddar, Rajesh Arora and AparnaPuri. File be consigned to the record room after due compliance, with red ink note that the same be not destroyed and be put as and when the proclaimed persons are arrested or surrendered themselves. Date of order. 2.2.2018 typed by Rajesh sd Alka Rani Judicial Magistrate First Class, Kaithal/UID NO.HR03401”

3. **Contention**

On behalf of the petitioner

Learned counsel for the petitioner submits that the petitioner was previously employed with Amira Pure Food Private Limited, but had resigned from the said company. It is submitted that the petitioner was never served with any summons or notice requiring her appearance before the concerned court. She became aware of the issuance of production warrants in cheque dishonour cases pending at Kaithal, Karnal, and Kurukshetra only when she was granted bail in another matter, but her release could not be effected due to the said production warrants.

Learned counsel further submits that the petitioner's non-appearance before the trial court was neither willful nor deliberate, but

purely on account of lack of knowledge. It is contended that the petitioner is now ready and willing to appear before the court in the complaint filed under Section 138 of the Negotiable Instruments Act, 1881.

On behalf of the State

Status report filed by way of an affidavit of Lalit Kumar, Deputy Superintendent of Police, Kalayat, is taken on record.

Learned State counsel opposes the present petition and prays for its dismissal, contending that despite repeated service through summons, bailable warrants, non-bailable warrants, and ultimately proclamation proceedings, the petitioner-accused willfully failed to appear before the trial court. Consequently, she was declared a proclaimed person nearly seven years ago.

It is further submitted that the petitioner has not annexed any documentary evidence with the present bail application to substantiate her claim of lacking knowledge about the pendency of the complaint or the proceedings arising therefrom. Her continued non-compliance with judicial orders amounts to a blatant disregard for the authority of the court and undermines the sanctity of judicial proceedings. He further argued that the petitioner is a habitual offender, as she is involved in multiple cases.

4. Analysis & Conclusion

In the present case, it is evident that the petitioner has consistently failed to comply with the process of law despite the issuance of summons, bailable warrants, non-bailable warrants, and ultimately proclamation proceedings. Her willful absence led to her being declared a proclaimed person nearly seven years ago. The petitioner has also failed to place on record any cogent material or documentary evidence to demonstrate

that she was unaware of the pendency of the complaint or the proceedings emanating therefrom.

Such prolonged and deliberate non-compliance with court directions reflects a clear disregard for the judicial process and does not inspire the confidence of this Court to extend the discretionary relief of anticipatory bail. Moreover, the petitioner is stated to be involved in multiple criminal cases, further demonstrating a pattern of conduct that militates against the grant of such relief.

5. Decision

In light of the aforementioned precedents, it is evident that the petitioner’s deliberate and prolonged non-compliance with court orders, leading to her declaration as a proclaimed person, renders her ineligible for anticipatory bail. The consistent judicial stance underscores that such conduct undermines the authority of the court and the sanctity of legal proceedings. Accordingly, the present petition is dismissed, being devoid of merit.

07.07.2025

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(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No