



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

CRM-M-39501-2025

Date of Decision: 28.07.2025

Ms. Meenu Midha

..... Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Sandeep Verma, Advocate, for the petitioner.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for quashing of the order dated 08.07.2025 (Annexure P-A), whereby proclamation has been issued against the petitioner, in a complaint under Section 138 of the Negotiable Instruments Act, titled as Surender Mohan Proprietor vs. Ms. Meenu Midha.

2. It has been contended by learned counsel for the petitioner that the petitioner has been falsely prosecuted in the present case. He submits that during the pendency of the complaint, both the sides had compromised their inter-se dispute and the amount involved has already been paid. He submits that however, despite that the complaint is pending and proclamation has been illegally issued against the petitioner vide order dated 08.07.2025 in violation of provisions of Section 82 Cr.P.C. He submits that the absence of the petitioner was totally unintentional and beyond her control. He submits that now the petitioner is keen to join the proceedings and face the trial in the above said case and comply with the condition, if any imposed by this Court and as such the order dated 08.07.2025, deserves to be set aside.

3. Notice of motion to the official respondent only.



4. Mr. Sumit Jain, Addl. AG, Haryana accepts notice on behalf of the State. He has submitted that learned trial Court has rightly initiated proclamation proceedings against the petitioner, as she intentionally did not appear before the trial Court on several dates of hearing.

5. After hearing learned counsel for the parties and perusing the record, it is evident that due to non-appearance of the petitioner, proclamation proceedings were initiated against the petitioner on 08.07.2025. The Court without going into the authenticity of the ground taken for the absence of the petitioner, deems it appropriate to direct her to appear before the Court concerned to face the trial in the present case, as now she is keen to join the proceedings and face the trial. In these circumstances, when the petitioner is ready to join the proceedings and face the trial, no useful purpose would be served by sending her behind the bars, therefore, the order dated 08.07.2025, initiating proclamation proceeding against the petitioner, is set aside subject to payment of Rs.25,000/- as costs to be paid by the petitioner to **Punjab and Haryana High Court Employees' Welfare Association, Chandigarh** within a period of seven days from today

6. The petitioner is directed to appear before the trial Court within a period of ten days from today and file an appropriate application alongwith receipt of costs of Rs.25,000/- and the trial Court would grant her bail till the disposal of the case on her furnishing bail/surety bonds subject to its satisfaction. The petitioner will have protection from arrest for a period of ten days from today. The trial Court is free to impose any condition it likes on the petitioner while admitting her to bail.



7. Needless to say that in case the petitioner fails to comply with the abovesaid direction, this order would be of no avail to her and the order dated 08.07.2025 will come in force and the present petition shall be deemed to have been dismissed.
8. Petition stands disposed of in abovesaid terms.

28.07.2025			(RAJESH BHARDWAJ)
sharmila			JUDGE
	Whether Speaking/Reasoned	:	Yes/No
	Whether Reportable	:	Yes/No