



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

130

CRM-3685-2025 in/and
CRM-M-48423-2024
Date of decision: 03.02.2025

Jasveer Kaur

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Vinod Bhardwaj, Advocate
for the petitioner.

Mr. Navdeep Singh, DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. Prayer in the application-**CRM-3685-2025** is for staying the operation of the impugned order dated 12.08.2024 (Annexure P-3) passed by learned JMIC, Jagraon, District Ludhiana, whereby he was declared a proclaimed offender in Complaint No.COMA/366/2021 titled as 'Jaspal Singh Vs. Jasvir Kaur' under Section 138 of the Negotiable Instruments Act, 1881 (for short, 'the NI Act').

2. Learned counsel for the petitioner *inter alia* contends that it is a matter of record that the entire sum of Rs.7 lakhs i.e. the cheque amount already stands returned to the complainant and the said fact stands reflected in the order passed by this Court in CRM-M-60500-2022 (Annexure P-1) wherein the petitioner was thereafter extended the concession of interim bail. Learned counsel submits that the petitioner was under a mistaken impression that since the entire amount had been returned to the complainant, the matter stood settled and proceedings



**CRM-3685-2025 in/and
CRM-M-48423-2024**

-2-

under Section 138 of the Negotiable Instruments Act, 1881 (for short, 'the NI Act') and would also be dropped. Instead the complainant in the complaint under Section 138 of the NI Act had not withdrawn the complaint. Learned counsel submits that hence, the order declaring the petitioner as a proclaimed offender ought to be quashed in the aforementioned facts and circumstances.

3. Learned counsel for the petitioner further submits that the petitioner is willing and ready to appear, and surrender before the learned Trial Court. Hence, in the aforementioned facts and circumstances, the petitioner be protected till her appearance before the learned Trial Court, and directions be given to the Trial Court that her application of bail, which she would be filing on her surrender, be decided expeditiously.

4. Notice of the application.

5. Learned State counsel accepts notice of the application.

6. In view of the limited prayer made by the learned counsel for the petitioner, main petition-**CRM-M-48423-2024** is taken up board today itself and is disposed of along with application-**CRM-3685-2025**, with directions to the petitioner to appear and surrender before the Trial Court within 07 days from today. Till then, no coercive steps be taken against the petitioner.

7. It is made clear that in case, the petitioner fails to surrender before the Trial Court within 07 days from today, this order shall be of no avail to her, thereafter. In case, on appearance and surrender, the petitioner moves an application for bail, the Trial Court shall make

CRM-3685-2025 in/and
CRM-M-48423-2024

-3-

earnest efforts to decide it expeditiously, in accordance with law,
preferably on the same day in the given facts and circumstances of this
case.

03.02.2025
Vinay

(MANJARI NEHRU KAUL)
JUDGE

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