

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH



(144)

CRM-M-59593-2025

Bharti Dhiman

.....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

Decided on : 08.04.2026

Date of uploading: 08.04.2026

CORAM : HON'BLE MR.JUSTICE SUMEET GOEL

Present: Mr. T.N. Sarup, Advocate for the petitioner (s)
(Through V.C.).

Mr. Hemant Aggarwal, DAG, Punjab.

Sumeet Goel, J. (Oral):

1. The substantive prayer made in the instant petition reads thus:

“It is, therefore, respectfully prayed that the present petition may kindly be allowed and the impugned order dated 21.01.2023 (Annexure P-4) passed by Ld. Chief Judicial Magistrate, Mohali in case No. CHI-297/2017 titled as State vs. Bhupinder Singh wherein petitioner has been declared as proclaimed person in FIR No. 115 dated 13.07.2016 registered under sections 406, 420, 120-B of IPC and section 24 of Immigration Act, Police Station Phase-1, District SAS Nagar (Annexure P-1) be set aside being wrong and illegal in the facts and circumstances of the present case and has been passed without complying with the mandatory provisions of section 82 Cr.P.C.”

2. On 27.10.2025, the following order was passed:

“Learned counsel appearing on behalf of the petitioner contends that the petitioner has been nominated as an accused in case bearing FIR No.115 dated 13.07.2016 registered under Sections 406, 420, 120-B of the Indian Penal Code, 1860 and Section 24 of the Emigration Act, 1983 at Police Station Phase-1, District SAS Nagar and now the petitioner has been declared as a proclaimed offender in case bearing No.CHI-297/2017 titled as ‘State Vs. Bhupinder Singh’ arising out of the abovesaid FIR, vide order dated 21.01.2023 passed by the Chief Judicial Magistrate, SAS Nagar (Mohali). He contends that the petitioner had resigned from the Directorship even before the alleged incident in question took place. He however does not dispute

that the petitioner was granted anticipatory bail vide order dated 16.03.2020 passed by the Additional Sessions Judge, SAS Nagar (Mohali) and after her marriage, she moved abroad. He contends that the petitioner is ready and willing to face the proceedings and establish her defence and she also intends to come to India on 21.11.2025.

Notice of motion.

Notice re: stay as well.

On the asking of this Court, Mr. Saurav Verma, Addl. A.G., Punjab, accepts notice on behalf of the respondent-State and prays for some time to file the reply.

List on 27.01.2026.

In the meanwhile, operation of the order dated 21.01.2023 passed by the Chief Judicial Magistrate, SAS Nagar (Mohali) declaring the petitioner as a proclaimed offender shall remain stayed till the next date of hearing subject to the petitioner appearing before the trial Court on or before 01.12.2025 and further subject to payment of Rs.50,000/- to be deposited with the Red Cross Old Age Home, Account No.50100286016319, IFSC Code: HDFC0004030, HDFC Bank Sector-15, Panchkula, she shall be admitted to interim bail on her furnishing of fresh bail/surety bonds to the satisfaction of the trial Court.”

3. Learned State counsel has filed short reply by way of affidavit of Superintendent of Police, City-1, SAS Nagar. The same be kept on record.
4. Having heard learned counsel for the rival parties and upon perusal of the record; especially keeping in view the compliance made by the petitioner *re:* the order dated 27.10.2025 earlier passed by this Court; this Court deems it appropriate to quash the impugned order dated 21.01.2023 (Annexure P-4). Needless to say that the petitioner shall continue to appear before the concerned Court in accordance with law.
5. Petition stands disposed of, accordingly.

April 08, 2026
Naveen

(SUMEET GOEL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No