

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No. 3709 of 2012

Date of decision : January 31, 2013

Asha Rani,

..... Petitioner

v.

State of Punjab and another,

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Deepak Goel, Advocate
for the petitioner.

Mr. K.S.Pannu, AAG Punjab

1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest ?

AJAY TEWARI, J (Oral)

By this petition, the petitioner has challenged the order declaring her proclaimed offender. On 9.2.2012, the following order was passed :-

“Crl.Misc No.7935 of 2012

Allowed as prayed for.

Crl.Misc No.M 3709 of 2012

Learned counsel for the petitioner inter-alia contends that the petitioner was never served at the given address and she was declared proclaimed offender only on the basis of false report as no service was effected upon her. Learned counsel further submits that the petitioner is ready to surrender before the Court in case some protection is granted.

Keeping in view the submission made by learned counsel for the petitioner and the fact that the petitioner is ready to surrender before the trial Court to join the

Court proceedings, let notice of motion be issued for 28.3.2012.

In case, the petitioner surrenders before the trial Court within a period of two weeks from today, the trial Court is directed to release her on interim bail to its satisfaction.”

Counsel for the petitioner states that the petitioner has appeared before the trial Court and has been released on interim bail and, therefore, he prays that her bail be confirmed.

Counsel for the respondent has accepted the fact that the petitioner has appeared in the trial Court and states that in the circumstances, the order declaring her as proclaimed offender has met its natural end. However, he asserts that as far as the prayer of the petitioner for bail in the main case is concerned, that should be left to the discretion of the trial Court in the first instance.

I find it to be a meritorious argument. Resultantly, this petition is disposed of, in view of the statement made by counsel for the respondent that the order declaring the petitioner as proclaimed offender has met its natural death with her appearance before the trial Court. However, the petitioner may, if so advised, move an application for regular bail in the main case and if such an application is made within four weeks from today, the trial Court shall decide the same expeditiously in accordance with law. The order of interim bail granted by this Court would continue to operate till the time the trial Court decides the prayer for regular bail.

(**AJAY TEWARI**)
JUDGE

January 31, 2013.
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