



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

**CRM-M No.18442 of 2025
Date of decision: 08.04.2025**

Manjit KaurPetitioner

Versus

State of Punjab and AnotherRespondents

CORAM: HON'BLE MR. JUSTICE H.S. GREWAL

Present: Ms. Ramneek Kaur Mann, Advocate for the petitioner.

H.S. GREWAL J.

1. The petitioner is seeking quashing of order of proclamation dated 28.02.2025 (Annexure P-12) passed by learned Judicial Magistrate Ist Class, Ludhiana whereby the petitioner has been declared a proclaimed person in complaint case bearing number COMA/48053 of 2023 titled as “Roop Rani Vs. Manjit Kaur” registered under Section 138 of Negotiable Instruments Act, 1881.

2. Learned counsel for the petitioner contends that the petitioner was facing proceedings under Section 138 of Negotiable Instruments Act, 1881 for dishonour of cheque amounting to Rs.4.65 lakhs. He further contends that earlier, the petitioner was appearing before the trial Court proceedings but later on i.e. after 17.07.2024, due to medical reasons, she could not appear before the trial Court and thereafter, non bailable warrants were issued against the petitioner on 03.10.2024 following which she was declared proclaimed person vide impugned order dated 28.02.2025. He further contends that the petitioner is 52 years old lady and is suffering from depression and therefore, was unable to join the trial proceedings.



3. Notice of motion.

4. On the asking of the Court, Mr. Amandeep Singh Samra, AAG, Punjab, accepts notice behalf of the respondent-State.

5. Learned counsel for the petitioner, on instructions submits that the petitioner undertakes to appear before the trial Court concerned on each and every date and shall not seek any exemption for her personal appearance on any date of hearing before the trial Court. Hence, in the aforementioned facts and circumstances, the petitioner prays that directions be issued to the Trial Court concerned that her bail application, which she would be filing on her surrender, be decided expeditiously.

4. I have heard learned counsel for the parties and perused the material placed on record.

5. In view of the above, the instant petition is allowed and impugned order dated 28.02.2025 (Annexure P-12) passed by learned Judicial Magistrate Ist Class, Ludhiana in complaint case bearing number COMA/48053 of 2023 titled as "Roop Rani Vs. Manjit Kaur" registered under Section 138 of Negotiable Instruments Act, 1881 stands set aside, subject to the condition that the petitioner shall appear and move an application for bail before the trial Court concerned within 07 days from today subject to payment of costs of Rs.10,000/- to be paid to the complainant and the concerned Court shall release the petitioner on bail, subject to her furnishing bail bonds/ surety bonds to its satisfaction and imposing reasonable conditions as it may deem appropriate in the background of the petitioner-accused's conduct.



6. It is made clear that in case, the petitioner fails to surrender before the Court concerned within 07 days from today, this order shall be of no avail to her, thereafter.

08th April, 2025

Sonia Puri

**(H.S. GREWAL)
JUDGE**

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