



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

137

**CRM-M-26363-2025
DATE OF DECISION: 15.05.2025**

RAJNI AGGARWAL**...PETITIONER****Versus****STATE OF PUNJAB AND ANOTHER****... RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Sanjeev Sehgal, Advocate for the petitioner(s).
(through Hybrid Mode).

Mr. J.S. Rattu, DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 482 Cr.P.C./528 of BNSS for the cancellation of the Proclamation vide order dated 16.05.2024 passed by the court of the Ld. Magistrate, First Class, Amloh in the complaint case U/S 138 of Negotiable Instrument Act bearing case no. NACT/130/2023 titled as "RR Enterprises vs Ganex Polyfab".

Learned counsel for the petitioner submits the petitioner could not appear in Court as she was not aware of the said complaint case since she neither received any complaint copy nor received any legal notice. He further submits that the petitioner never has hold any official role such as Director, Sharholder or signatory in the company. He submits that the petitioner did not had any intention to avoid attendance in the Court proceedings. He undertakes that the petitioner



will surrender before the trial Court and shall join the trial proceedings without any delay or default in future.

Notice of motion.

On the asking of the Court, learned State Counsel accepts notice on behalf of the respondent-State, who is not averse to the undertaking given by the petitioner that she will surrender before the trial Court.

Considering the submissions made by learned counsel and also in appreciation of the fact that it will only speed up the proceedings before the Trial Court which is one of the essence as enshrined under Article 21 of the Constitution of India, the petitioner is directed to surrender before the trial Court within a period of 10 days from today and apply for regular bail.

In case, such an application for bail is moved by the petitioner before the learned trial Court, the same shall be considered on the same date and decided in accordance with law.

However, it is made clear that in case the petitioner does not abide by the aforesaid undertaking, the respondent/State shall be at liberty to move an appropriate application for revival of the instant petition.

The aforesaid order/concession to the petitioner shall be subject to payment of costs of Rs.20,000/- to be deposited with the Punjab and Haryana High Court Bar Clerk Association, Chandigarh and a receipt of the same be produced before the Trial Court and only in that eventuality, application of the petitioner for seeking bail be considered and decided on the same day in accordance with law.



The amount so deposited by the petitioner shall not be construed as cost for this order but penalty for stalling the court proceedings by evading himself from trial for a long time.

The instant petition is disposed of in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

15.05.2025
anuradha

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>