



136

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

**CRM-M-20372-2025
DECIDED ON: 21.04.2025**

NARINDER KAUR**.....PETITIONER**

VERSUS

HARJIT SINGH**.....RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. GPS Ghuman, Advocate and
Mr. Shivraj Daumajra, Advocate for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 528 of BNSS, 2023 for quashing of order dated 29.01.2024 (Annexure P-1) passed by the Court of JMIC, Jalandhar vide which the petitioner has been declared as proclaimed person.

Learned counsel for the petitioner submits that after filing of the case negotiations were going on between the petitioner and the complainant to settle the matter out of Court, but brother of the complainant came to the house of the petitioner and assaulted the family members of the petitioner and also fired bullet shots. He further submits that after firing incidence the petitioner alongwith her family members shifting their residential address, as the brother of the complainant had threatened the family of the petitioner.

He asserts that since the petitioner was shifted their residential address, summons, bailable/non-bailable warrants could not be served upon her and she was not aware about the order dated 29.01.2024 (Annexure P-1). He therefore, submits that the absence of the petitioner was neither

intentional, nor deliberate. He undertakes on behalf of the petitioner that she is ready and willing to join the trial proceedings.

Without going further into the legality or merits of the order dated 29.01.2024 (Annexure P-1), once the petitioner is ready and willing to join the trial proceedings, as has been undertaken before this Court, this Court deem it appropriate to dispose of the petition at this stage itself.

The petitioner shall surrender before the trial Court within a period of 7 days from today and in case, he moves an application for regular bail on that day or any other subsequent date, same may be considered and decided in accordance with law preferably on that very day itself.

This Court is also sanguine of the fact that due to absence may be on account of the reasons, as has been detailed in the petition and submitted before this Court during the course of hearing, the fact remains that the judicial process have been delayed.

As a penalty for causing delay in the judicial process, the petitioner is penalized with a penalty of Rs.20,000/-, which shall be paid to the Punjab & Haryana High Court Bar Clerk's Association, Chandigarh, a receipt of which shall be produced before the trial Court at the time of surrender.

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 petition stands disposed off in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

21.04.2025

Meenu

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*