

PBGD010067802018



Presented on : 04-10-2018
Registered on : 04-10-2018
Decided on : 16-10-2018
Duration : 0 years, 0 months, 12 days

**IN THE COURT OF
Additional District & Sessions Judge
AT ,Gurdaspur
(Presided Over by Sh. Krishan Kumar Singla)**

BA/2702/2018

BA No. 346 of 4.10.2018

Sunaina Devi wife of Raj Kumar, resident of Near Kali Mata Mandir,
Kahnuwan, Tehsil and District Gurdaspur.

Clerk R.A Branch, Deputy Commissioner Office, Gurdaspur.

.....Accused/applicant.

Versus

Sudesh Kumari widow of Sukhdev Kumar, resident of H. NO. 176/13, Geeta
Bhawan Road, Tehsil and District Gurdaspur, through her Special Power of
Attorney Holder Ravi Kumar son of Sukhdev Kmar.

.. Complainant/Respondent.

Complaint under Section 138 of N.I.Act

First bail application under Section 438 Cr.P.C.

Present : Sh H. S. Lakhanpal Adv., counsel for applicant/accused.
Sh. Bhupinder Sharma, Addl. P.P for the State

ORDER

1. This order of mine will dispose of application for anticipatory bail moved by accused Sunaina Devi in a complaint filed by respondent under Section 138 of N. I Act.
2. Notice was given and Sh. Bhupinder Sharma Ld. Addl. PP for the State put his appearance on behalf of the state.
3. Record of Trial Court has been called.
4. Arguments heard.
5. Perusal of record reveals that accused/applicant was summoned to face trial under Section 138 of N. I. Act. Thereafter, accused appeared and she was released on bail. On 28.3.2018, accused/applicant absented from the proceedings, so accordingly, bail order in her favour was cancelled and bail bonds and surety bonds were also cancelled and forfeited to the state. Thereafter, accused was being summoned through Non bailable warrants and ultimately, proclamation was issued to procure her service but she failed to appear and ultimately, on 1.10.2018 she has been declared as proclaimed offender.
6. In the given circumstances, this court considers that accused/applicant has misused the concession of bail and she has been defalcated proclaimed offender.
7. Accordingly, no case for anticipatory bail is made out.

8. Thus, anticipatory bail application moved by accused stands dismissed.

Pronounced
Dated:-16.10.2018

Prem Kumar
Stenographer-II

(K.K.Singla)
Additional Sessions Judge,
Gurdaspur.
UID No. PB 0197

Present : Sh H. S. Lakhanpal Adv., counsel for applicant/accused.
Sh. Bhupinder Sharma, Addl. P.P for the State

Arguments heard. Vide my separate detailed order announced today, the present bail application has been dismissed as detailed therein. Record be returned and bail application file be consigned to record room.

Pronounced
Dated:-16.10.2018

Prem Kumar
Stenographer-II

(K.K.Singla)
Additional Sessions Judge,
Gurdaspur.
UID No. PB 0197