

37029 Satbir Singh Vs Manpreet Kaur

Present: Sh. SK Bawa for complainant.  
Accused Mewa Singh and Amarjit Kaur in person  
alongwith counsel Sh. V.S. Dadwal, Adv.  
Accused Manpreet Kaur, Beant Singh, Ranjit Singh and  
Baldev Singh-P.O.

Perusal of the file reveals that accused Mewa Singh and Amarjit Kaur alongwith other accused were summoned to face trial u/s 420/120B IPC by my Ld Predecessor Ms Harpreet Kaur the then JMIC, Ludhiana vide order dated 01.12.2012 and the accused were released on interim bail on 15.07.2014 on furnishing bail bonds in the sum of Rs.50,000/- with one surety in the like amount in view of the order dated 28.05.2014 passed by the Hon'ble Punjab and Haryana High Court. Vide order dated 05.06.2015, my Ld Predecessor Ms Mehak Sabharwal the then JMIC, Ludhiana allowed the accused Mewa Singh and Amarjit Kaur to go to Canada for a period of 3 months only on their application subject to the condition that they will furnish their details of Visa, passport, resident proofs in Canada, residents proofs in India and bank guarantee to the tune of Rs.2 lacs by each accused and also directed the accused to furnish an affidavit of their last residing address where they have been residing in Canada alongwith the address where they shall be further reside in Canada and their address at that point in India within 15 days and adjourned the case to 01.07.2015. On 01.07.2015, accused Mewa Singh and Amarjit Singh intentionally failed to appear before the court and failed to comply with the order of the court dated 05.06.2015 and the court vide order dated 01.07.2015 cancelled their bail order and forfeited their bail bonds and surety bonds on their non-appearance. Perusal of the file reveals that accused Mewa Singh and Amarjit Kaur were declared

proclaimed offender by the court vide order dated 21.10.2016. Accused Mewa Singh and Amarjit Kaur filed a petition u/s 482 Cr. PC in the Hon'ble Punjab and Haryana High Court for quashing of P.O. Order dated 21.10.2016 passed by the Court by alleging that they were citizens of Canada and had gone back to Canada for their treatment and their non-appearance before the trial court was un-intentional. The Hon'ble Punjab and Haryana High Court vide order dated 02.06.2017 in the petition u/s 482 Cr.PC filed by the applicants/accused Mewa Singh and Amarjit Kaur issued notice of motion for 17.07.2017 and ordered that if accused Mewa Singh and Amarjit Kaur surrendered before the Trial Court in the first week of July, 2017, they shall be admitted to ad-interim bail to the satisfaction of the Trial Court. In view of the aforesaid order dated 02.06.17 passed by the Hon'ble High Court, accused surrendered before this court on 04.07.2017 and they were released on ad-interim bail on furnishing bail bonds in the sum of Rs.1,00,000/- with one surety in the like amount as per the directions of the Hon'ble High Court vide order dated 04.07.2017 The Hon'ble High Court vide order dated 17.07.2017 disposed off the aforesaid petition u/s 482 Cr.PC filed by accused/applicants Mewa Singh and Amarjit Kaur having been rendered infructuous on the statement of ld counsel for the petitioner that since the petitioners have been released on bail after surrendered before the Trial Court and the present petition has already become infructuous. Perusal of the file reveals that no bail order qua accused Mewa Singh and Amarjit Kaur has been passed by this Trial Court and they were released on ad-interim bail vide order dated 04.07.2017 on furnishing the bail bonds in the sum of Rs.1,00,000/- with one surety in the amount as per the order

dated 02.06.2017 passed by the Hon'ble High Court. On 26.07.2017, accused Mewa Singh and Amarjit Kaur appeared before this court and this court gave them a period of 7 days for placing on record the bail order of Hon'ble High Court or Trial Court and tendering their passports on their joint statement alongwith their counsel Sh. V.S Dadwal, Adv that they will produce the bail order of the Hon'ble High Court or Trial Court qua their bail within 7 days in the court and will tender their passports in the court in the aforesaid period otherwise the court can proceed against them as per law.

Today accused Mewa Singh and Amarjit Kaur appeared before this Court and failed to place on record any bail order of Hon'ble High Court or Trial Court and failed to tender their passports before the Court as per the order dated 03.08.2017. Accused Mewa Singh and Amarjit Kaur suffered joint statement before this court that they do not want to tender their passports today in the court and they have not brought any bail order of Hon'ble High Court or Trial Court as per the directions of the court in the order dated 03.08.2017. As the main petition u/s 482 Cr. P.C. filed by the accused in which the ad-interim bail order dated 02.06.2017 was passed by the Hon'ble High Court stands disposed off by the Hon'ble Punjab and Haryana High Court having been rendered infructuous on the statement of ld counsel for the petitioner, the ad-interim bail order dated 02.06.2017 goes with the same and the earlier position stands relegated. No bail order granting bail to accused Mewa Singh and Amarjit Kaur is passed by this court and no bail order of any other competent court is placed on record by the accused. In view of the factum that the offence u/s 420, 120-B IPC in which the accused Mewa

Singh and Amarjit Kaur were summoned by the court are non-bailable in nature and the aforesaid accused are proclaimed offenders, accused Mewa Singh and Amarjit Kaur are taken into custody and are sent to judicial custody till 16.08.2017 subject to medical examination as per rules. Application for granting regular bail and for recalling the order dated 03.08.2017 filed by the accused Mewa Singh and Amarjit Kaur. Copies supplied. Reply to the application for recalling the order dated 03.08.2017 filed. Copy supplied. Now to come up for filing reply to the regular bail application and consideration on the application for recalling the order dated 03.08.2017 and on regular bail application on 05.08.2017.

Aslam Raza  
Stenographer-II  
Next date:-05.08.17  
Purpose:-

Bhupinder Mittal/JMIC/Ldh/26.07.17  
Directly Dictated  
UID No.PB0381