

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

**CRM-M-16564-2015
Date of decision:21.05.2015**

Balwinder Kaur @ Pinki

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

1. To be referred to the Reporters or not ?
2. Whether the judgment should be reported in the Digest ?

Present: Mr.Rakesh Kumar, Advocate for the petitioner.

RAMESHWAR SINGH MALIK, J. (Oral)

Petitioner seeks pre-arrest bail in FIR No.96 dated 31.3.2014 registered under Sections 307, 353, 186, 322, 427, 148 and 149 of the Indian Penal Code at Police Station, City Kapurthala.

Learned counsel for the petitioner submits that earlier petitioner was on bail, granted by this Court vide order dated 26.5.2014 (Annexure P-4) and thereafter she had been regularly appearing before the learned trial Court. He further submits that when the case was listed before the learned trial Court on 6.5.2015, she could not attend the court proceedings as she was not feeling well. However, an application to this effect was moved before the learned trial Court, seeking exemption from appearance on account of ill health, vide Annexure P-6, but the learned trial Court did not entertain that application. On the other hand, the order dated 6.5.2015 (Annexure P-7) came to be passed by the learned trial Court, issuing non-bailable warrants against the petitioner, cancelling her bail bonds and surety bonds. Learned counsel for the petitioner submits that petitioner is ready and willing to surrender before the learned trial Court on the date already

fixed, i.e. 25.5.2015 and the learned trial Court may be directed to consider the bail application of the petitioner sympathetically.

Having heard the learned counsel for the petitioner and without expressing any opinion on the merits of the case, lest it should prejudice the rights of either of the parties, learned trial Court is directed that if the petitioner surrenders on the date already fixed, i.e. 25.5.2015, her bail application shall be considered sympathetically. Petitioner shall be entitled to bring all the facts to the notice of the learned trial Court. The bail application of the petitioner shall be decided at any early date by passing an appropriate order, strictly in accordance with law.

With the above-said observations made and directions issued, the present petition stands disposed of.

21.05.2015
mks

(RAMESHWAR SINGH MALIK)
JUDGE