

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

Sr. No.101

CRM NO. M-36502 of 2016

DECIDED ON: October 10, 2016

LAKHWINDER KAUR @ LUCKY

..PETITIONER

VERSUS

STATE OF U.T. CHANDIGARH

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Ms. Amandip Kaur, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

This is a petition preferred under Section 438 of the Code of Criminal Procedure by petitioner-Lakhwinder Kaur @ Lucky, seeking pre-arrest bail, feeling apprehension of her arrest in case bearing FIR No.20, dated 05.03.2016, under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Sector 49, Chandigarh (Annexure P-1).

2. Notice of motion.

3. On the asking of the Court, Ms. Ashima Mor, APP, U.T. Chandigarh accepts notice on behalf of respondent-State. Copy of the petition be supplied to learned State counsel during the course of day.

4. Undeniably, petitioner has been appearing regularly before the trial Court but on 29.08.2016, she could not appear. As a result of her absence, her bail order as well as bail bonds/surety bonds were cancelled and forfeited to the State. Resultantly, she was ordered to be summoned

CRM NO. M-36502 of 2016

through non-bailable warrants of arrest. Immediately, thereafter, petitioner moved the instant petition, which is suggestive of the fact that her absence on 29.08.2016 was neither wilful nor intentional. Rather, it was on account of the reason that she mistook the date and could not appear on 29.08.2016.

5. Accordingly, the instant petition is disposed of with the direction to the petitioner to appear/surrender before the learned trial Court within a period of 10 days from the date of receipt of certified copy of this order, who shall be released on bail by the learned trial Court/Duty Magistrate at its satisfaction.

October 10, 2016

Sonika/Ankur

**(JASPAL SINGH)
JUDGE**

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No