

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

CRM-M-25832-2017

Date of decision-21.07.2017

Harbhajan Kaur

...Petitioner

Vs.

State of U.T.Chandigarh

...Respondent

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Sudhir Sharma, Advocate for the petitioner.

JITENDRA CHAUHAN, J. (Oral)

The present petition under Section 438 read with Section 482 of the Code of Criminal Procedure has been filed for grant of anticipatory bail to the petitioner in FIR No.381 dated 26.11.2010 registered under Sections 406 and 498-A of the Indian Penal Code at Police Station Sector-34, Chandigarh.

Learned counsel for the petitioner contends that the petitioner was admitted to bail and thereafter, she had been regularly appearing before the trial Court. But on the solitary date i.e. 30.01.2016 due to ailment, the petitioner could not cause appearance before the trial Court. However, an application for exemption was moved on behalf of the petitioner which was not considered and the order dated 05.04.2016 was passed. The solitary absence of the petitioner from the process of the Court was neither intentional nor wilful.

I have heard learned counsel for the petitioner and have gone through the case file.

Notice of motion.

At the asking of the Court, Dr. Sukant Gupta, APP, U.T.Chandigarh accepts notice on behalf of the respondent-State. A complete copy of the paper book has been furnished to the learned State counsel, in the Court.

At this stage, Mr. Sandeep Gahlawat, Advocate causes representation on behalf of the complainant and submits that there is a possibility of amicable settlement.

In view of the submissions made, it is ordered that in case the petitioner surrenders before the competent Court within one week from today, she be admitted to bail, on her furnishing adequate bail bonds/surety bonds, to its satisfaction. The parties are free to make a request before the competent Court below to refer the matter before the concerned Mediation and Conciliation Centre.

Disposed of.

(JITENDRA CHAUHAN)
JUDGE

July 21, 2017

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No