

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc.No.M-18087 of 2018 (O&M)
Date of decision : 02.05.2018

Rani Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Ashish Gupta, Advocate
for the petitioner.

RAJ SHEKHAR ATTRI, J.(Oral)

The petitioner has preferred the instant petition under Section 438 Cr. for grant of anticipatory bail in case FIR No.57 dated 15.04.2016, registered under Section 22 of the Narcotic Drugs & Psychotropic Substances Act, at Police Station Dharamkot, District Moga.

Notice of motion.

Mr. Karanbir Singh, AAG, Punjab who is present in Court, has accepted notice on behalf of respondent-State. Complete copy of the paper book has been supplied to him.

Service is complete.

It is a case of the petitioner that she was under the impression that the case was fixed for 20.04.2018 instead of 19.04.2018, therefore, she could not appear on the date fixed.

Learned counsel for the petitioner submits that the petitioner has been facing the trial in this case and the charge has been framed on 24.10.2016 but the trial could not be concluded upto 19.04.2018 and on that she could not appear. Consequently, the bail granted to her was

cancelled and her bail bonds were forfeited to the State and she was ordered to be summoned through non-bailable warrants of arrest.

On the other hand, learned State counsel opposed the instant petition.

It seems that the learned trial Court acted undue haste while cancelling the bail bonds of the petitioner. It should give an opportunity to the petitioner to appear.

Keeping in view the facts and circumstances of the case, the instant petition stands allowed. The petitioner is directed to surrender before the learned trial Court and on doing so, she shall be released on bail by that Court to its satisfaction, subject to the conditions as imposed by that Court if any.

02.05.2018
mamta-M

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No