

CRM No. M-41820 of 2018

Date of Decision: September 21, 2018

Rupinder Kaur

.....Petitioner

versus

Gurmeet Singh and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present:- Mr. L.M. Gulati, Advocate for the petitioner

Sudhir Mittal, J. (Oral)

The petitioner is an accused in a complaint filed under Section 138 of the Negotiable Instruments Act, 1881. Vide judgment dated 16.02.2017, she has been convicted by the trial Court and sentenced to undergo rigorous imprisonment for a period of two years and to pay compensation of Rs. 2.75 lacs. She has filed an appeal against the said judgment and order of sentence, which has been entertained and her sentence has been suspended. However, vide order dated 04.09.2018, bail bonds have been cancelled on account of non-appearance.

Learned counsel for the petitioner submits that the petitioner was unable to appear on account of her illness and due to circumstances beyond her control she was unable to inform her counsel as well. The absence was not intentional and, thus, the order impugned may be set aside.

The petition is disposed of with direction to the petitioner to surrender before the Appellate Court on the next date of hearing i.e. 05.10.2018 and apply for regular bail. In case such an application is filed, the learned Appellate Court shall allow the same subject to its satisfaction.

September 21, 2018

*reena***[SUDHIR MITTAL]**
JUDGE**Whether speaking/reasoned : Yes/No****Whether Reportable : Yes/No**