

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

CRM-M No.5297 of 2018

Date of Decision : 08.02.2018

Nidhi

.....Petitioner

Versus

Parmod Bhushan and another

.....Respondents

CORAM:HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. G.S. Dhaliwal, Advocate
for the petitioner.

SUDIP AHLUWALIA, J. (ORAL)

In this petition filed under Section 438 of the Code of Criminal Procedure, the petitioner seeks her release on anticipatory bail in Complaint Case No.COMA 5140/2016 dated 26th May, 2016 titled as '**Parmod Bhushan vs. Ms. Nidhi Abrasives**', registered under Section 138 of the Negotiable Instruments Act and Section 420 of the Indian Penal Code at Police Station Kotwali Division No.1, Ludhiana District Ludhiana, pending in the Court of Ld. Judicial Magistrate, 1st Class Ludhiana.

2. The petitioner was already on bail in the said

complaint but absented from the proceedings on 21st of February, 2017. Consequently, her bail bonds were cancelled and warrant of arrest were ordered to be issued against her.

3. The petitioner thereafter approached the Court of Ld. Sessions for anticipatory bail and her application was disposed off on 4th August, 2017 with a direction to surrender before the Ld. Trial Court within a week and seek fresh bail. She however did not appear before the said Court within the stipulated time. Her justification in this regard is that on the relevant dated i.e. 11th August, 2017 when she was going to the Court there was an accident on the way in which her mother-in-law was seriously injured, on account of which she could not reach the Court and the time granted by the Ld. Court of Sessions to her had lapsed.

4. She has thereafter approached this Court for protection after her second similar application for bail was rejected by the Ld. Sessions Judge, Ludhiana.

5. In the given circumstances, the petitioner is granted an opportunity to surrender before the Ld. Court below within 07 days from the date of this order subject to payment of costs of

Rs.10,000/- to the complainant for the delay occasioned. After surrendering she may be admitted to fresh bail by the Ld. Trial Court, and this order shall automatically stand vacated in the evening of 15th February, 2018.

6. Disposed off.

February 08, 2018

Dpr

(SUDIP AHLUWALIA)

JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable : Yes/No