

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

CRM-M-51369-2019

Date of Decision:03.12.2019

Surinderjit Kaur

... Petitioner

Versus

Manohar Singh and another

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

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

HARNARESH SINGH GILL, J. (Oral)

The petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in an appeal bearing No.CRA 925/2017, dated 28.11.2017, titled as 'Surinderjit Kaur Vs. Manohar Singh', pending for 18.12.2019 in the Court of the learned Additional Sessions Judge, Jalandhar.

Learned counsel for the petitioner submits that the petitioner has been convicted in a complaint under Section 138 of the N.I.Act. During the pendency of that appeal, the petitioner had initially filed an application seeking exemption from personal appearance, which had been allowed. She filed another application seeking exemption from personal appearance, which was dismissed on 03.09.2019 by the Appellate Court and resultantly, her bail was cancelled and warrant of arrest was issued against her. He further submits that there were negotiations in respect of settling the dispute and because of that, the petitioner could not appear on the date fixed before the Appellate Court and now she is ready to appear there. He further submits that absence of

the petitioner from the Appellate Court was not intentional. The petitioner is ready to surrender before the Appellate Court and to furnish the fresh bail and surety bonds to its satisfaction.

I have heard the learned counsel for the petitioner and am of the view that the petitioner is not required for any investigation purposes, rather she is only to appear before the Appellate Court. The issuance of notice in this case to the respondents would delay the disposal of the appeal and, therefore, the notice is not being issued.

Keeping in view the above facts, but without commenting anything upon the merits of the case, the present petition is allowed. The petitioner is directed to surrender before the Appellate Court within 10 days from today. On her doing so, the Appellate Court shall release her on bail, subject to her furnishing bail/surety bonds to its satisfaction, and further subject to making the payment of costs of Rs.10,000/- by the petitioner to respondent No.1-complainant. If the petitioner fails to comply with the aforesaid directions, the instant petition shall stand dismissed, automatically.

03.12.2019

parveen kumar

(HARNARESH SINGH GILL)

JUDGE

Note:	Whether speaking/reasoned	:	Yes/No
	Whether reportable	:	Yes/No