

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

CRM-M No. 552 of 2020

Date of decision: - 09.01.2020

Balbir Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Chandan Singh Rana, Advocate for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

Prayer in the present petition under Section 482 Cr.P.C. is for setting aside the impugned order dated 11.09.2019 (Annexure P-1) passed by the learned Judicial Magistrate 1st Class, Ludhiana, whereby bail of the petitioner was cancelled and her bail/surety bonds were forfeited and summoned through non-bailable warrants in case FIR No. 201 dated 22.09.2014 registered under Sections 419, 420 and 120-B IPC, at Police Station P.S. Salem Tabri, Ludhiana.

Learned counsel for the petitioner states that vide order dated 11.09.2019, the bail orders of petitioner-Balbir Kaur stands cancelled and the surety bonds and bail bonds were forfeited and non-bailable warrants have been issued against the petitioner because she could not appear in the Court on that day. Against the said order the petitioner filed bail application under Section 438 Cr.P.C. before learned Additional Sessions Judge, Ludhiana and she was granted bail subject to payment of costs of Rs. 2000/- to be paid in the District Legal Services Authority.

Learned counsel for the petitioner further states that since the petitioner was surety for one Akbar who did not appear before the Court and was declared proclaimed offender, thus non-bailable warrants were issued against the petitioner. The petitioner appeared before the Court and the learned Chief Judicial Magistrate, Ludhiana, vide order dated 21.11.2019 directed her to deposit the fine of Rs. 20000/- and the said amount was deposited in the Court after arranging the money from friends and relatives. Thus, the petitioner could not deposit the amount of Rs. 2000/- as directed by the learned Additional Sessions Judge, Ludhiana, vide order dated 19.10.2019.

Notice of motion to A.G. Punjab.

On the asking of this Court, Mr. Dhruv Dayal, Senior DAG, Punjab, accepts notice on behalf of the respondent-State.

Learned counsel for the petitioner is directed to hand over the copy of the paper-book to the learned State counsel during the course of the day today itself.

In view of the above, the petition is allowed. The petitioner is directed to appear before the Court concerned, which shall grant bail to her on furnishing bail/surety bonds to its satisfaction subject to costs of Rs. 5000/- to be deposited in the Government Blind Institute of concerned area.

Copy of this order be given to the learned counsel for the petitioner under the signatures of the Bench Secretary of this Court.

(HARNARESH SINGH GILL)
JUDGE

09.01.2020

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No