

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

115

**CRM-M-11723-2021**

**Date of Decision:15.03.2021**

**Rajwant Kaur and another**

**.....Petitioners**

**Versus**

**State of Punjab**

**.....Respondent**

**CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.**

**Present: Mr. Gaurav Singla, Advocate,  
for the petitioners.**

**\*\*\*\***

**HARI PAL VERMA, J.(Oral)**

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in the present petition filed under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioners in FIR No.28 dated 13.02.2018 under Sections 382, 452, 323, 506, 120-B IPC (the offence under Section 379-B IPC was added later on), registered at Police Station City Sunam, District Sangrur.

Vide order dated 04.03.2020, learned Additional Sessions Judge, Sangrur, has cancelled the bail bonds and surety bonds of the petitioners for being absent without any intimation to the Court on 04.03.2020 and the same were forfeited to the State and non-bailable warrants were issued against them.

Learned counsel for the petitioners submits that it is on account of ill-health of petitioner No.2-Gurbaksh Singh, who remained admitted in the Govt. Hospital from 28.02.2020 to 04.03.2020, he could not appear before the trial court on 04.03.2020. Similarly, petitioner No.1-Rajwant

Kaur being real sister of petitioner No.2 could not appear before the trial court as she was required to attend her ailing brother. He refers to Discharge Certificate issued by the Punjab Health Systems Corporation, Sangrur, to support his contention that petitioner No.2 remained admitted in the hospital from 28.02.2020 to 04.03.2020.

Heard learned counsel for the petitioners.

This Court finds that there is a justified reason for non-appearance on the part of the petitioners as petitioner No.2-Gurbaksh Singh remained admitted in the hospital from 28.02.2020 to 04.03.2020 and petitioner No.1 being real sister of petitioner No.2 must have attended her ailing brother.

Since the bail bonds and surety bonds have been cancelled on account of non-appearance on a single date from the court i.e. on 04.03.2020, the present petition is disposed of with a direction that, in case, the petitioners appear before the trial court within a period of ten days from today and submit an undertaking that they shall appear regularly, the petitioners shall be admitted on bail on their furnishing fresh bail bonds and surety bonds to its satisfaction.

**March 15, 2021**  
**seema**

**(HARI PAL VERMA)**  
**JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No