

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-13017-2022
Date of Decision: 29.03.2022

Maya Devi ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Aditya Sanghi, Advocate for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
66	06.04.2013	Khol, District Rewari	148, 149, 323, 332, 353, 186, 188, 384, 427, 506 IPC

1. Challenging the order of cancellation of bail and issuance of non-bailable warrants due to the default in an appearance before the Appellate Court vide order dated 02.11.2021, the petitioner has come up before this court.
2. The background leading to the cancellation of bail and issuance of non-bailable warrants is that the Ld. Additional Sessions Judge, Rewari rejected the application of the petitioner for exemption and vide the same order dated 2 Nov, 2021 cancelled her bail and issued warrants of her arrest.
3. In paragraph 6 of the petition, the accused explains that due to her ill health, she could not personally appear.
4. Although the petitioner appears to be lacking serious intent, it cannot be tantamount to complete disregard in light of the explanation offered. Given this background and the facts and circumstances peculiar to this case, I am satisfied by the explanation offered. The petition is allowed to the extent mentioned in this order and with the following conditions.
5. **There shall be a stay of the petitioner's arrest in the case mentioned above for ten days; however, if the petitioner fails to appear within this time of 15 days, then stay on arrest shall stand vacated without any further reference to this court. It is clarified that if the petitioner appears before the concerned court, then the impugned**

order dated 2 Nov 2021, passed in CRR-59-2017 , issued by the concerned court against the petitioner in the matter mentioned above shall stand quashed, warrants canceled, and bonds restored. However, in case the Id. trial court so desires, it may ask the petitioner to furnish fresh bail bonds, and in such an eventuality, the petitioner shall execute a bond for attendance in the concerned court to its satisfaction.

6. **Within ten days from today**, the petitioner shall deposit a sum of rupees ten thousand in 'High Court Lawyers Welfare Fund,' Account number 65018692589, SB, IFCI code SBIN0050306, Branch Code 50306, Branch Address State Bank of India, High Court Branch, Sector 1, Chandigarh. After depositing, the petitioner shall file the proof of deposit, before the concerned court and send its copy alongwith a copy of this order to the Secretary, Punjab & Haryana High Court Bar Association, either in physical or electronic mode.

7. Any observation made hereinabove is neither an expression of opinion on the merits of the case nor shall the trial Court advert to these comments.

8. *There would be no need for a certified copy of this order, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. In case the attesting officer wants to verify the authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.*

Petition allowed to the extent mentioned above. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

29.03.2022
Jyoti-II

Whether speaking/reasoned: Yes
Whether reportable: No.