

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

117

CRM-M-27488-2022  
Decided on :30.06.2022

Manju

. . . Petitioner

Versus

State of Haryana

. . . Respondent

**CORAM: HON'BLE MR. JUSTICE VIKAS BAHL**

PRESENT: Mr. J. P. Sharma, Advocate  
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

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**VIKAS BAHL, J. (Oral)**

The present petition has been filed under Section 439 of Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 378 dated 02.12.2020 under Sections 148, 149, 323, 354-A, 379-B, 427, 454 and 506 of the Indian Penal Code, 1860 and Section 25 of the Arms Act registered at Police Station Sadar Narnaul, District Mahendergarh.

Learned counsel for the petitioner has submitted that the petitioner was granted the concession of regular bail vide order dated 24.12.2021 and thereafter, had been regularly appearing before the trial Court, however, on 18.05.2022, the petitioner could not appear on account of the fact that she had noted a wrong date and thus, on account of the same, non bailable warrants were issued for 01.06.2022. It is further submitted that on 01.06.2022, the petitioner herself surrendered and reference in this regard is made to the order (Annexure P-4). It is contended that the petitioner, who is a lady, has been in custody since

01.06.2022 and undertakes to appear on each and every date before the learned trial Court unless her appearance is specifically exempted. It is also contended that on 18.05.2022, no witness of the prosecution was present.

Learned State counsel has opposed the present application for regular bail and has submitted that the petitioner was regularly appearing before the trial Court and thus, should have been aware about the date of hearing fixed for 18.05.2022 and her non appearance was unjustified and thus, does not deserve the concession of regular bail.

This Court has heard learned counsel for the parties and has perused the paperbook.

The petitioner was granted the concession of regular bail vide order dated 24.12.2021 (Annexure P-2). It is the case of the petitioner that she had been regularly appearing before the trial Court, however, could not appear on 18.05.2022 as she had noted a wrong date. On 18.05.2022, the bail bonds and surety bonds of the petitioner were cancelled and forfeited to the State and warrants of arrest were issued for 01.06.2022. A perusal of the order dated 01.06.2022 (Annexure P-4) would show that the petitioner had herself surrendered in the Court and the petitioner has been in custody since 01.06.2022 and has also undertaken to appear regularly before the trial Court.

Keeping in view the abovesaid facts and circumstances, the present petition is allowed and the petitioner is ordered to be released on bail on her furnishing fresh bail/surety bonds to the satisfaction of the

concerned trial Court/Duty Magistrate and subject to her not being required in any other case and also subject to her giving an undertaking before the Court within a period of 2 weeks from today that she will appear on each and every date before the trial Court except on the date when her appearance is specifically exempted.

Nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

(VIKAS BAHL)  
JUDGE

June 30<sup>th</sup>, 2022

Mehak

Whether reasoned/speaking?  
Whether reportable?

Yes/No  
Yes/No