

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

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**CRM-M-35924-2022
Decided on : 16.08.2022**

Salochana Devi

... Petitioner(s)

Versus

Union Territory, Chandigarh

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Ranbir Singh Rawat, Advocate
for the petitioner(s).

SANJAY VASHISTH, J. (Oral)

By way of present petition filed under Section 482 Cr.P.C., petitioner is seeking quashing of the order dated 07.07.2022 (Annexure P-1), passed by learned JMIC, Chandigarh, vide which the bail of the petitioner was cancelled and bail bonds forfeited and non-bailable warrants of arrests have been issued for securing her appearance in case FIR No. 135, dated 11.06.2019 (Annexure P-2), under Section 379 of IPC, registered at Police Station Industrial Area, Chandigarh.

Learned counsel for the petitioner contends that on 07.07.2022 (Annexure P-1), bail of the petitioner was cancelled because of his non-appearance before the trial Court and bail bonds were forfeited. Consequently, non-bailable warrants were issued against the petitioner vide the aforesaid order dated 07.07.2022.

Learned counsel for the petitioner further contends that due to lack of non-communication, the petitioner could not acknowledge the correct date of appearance and therefore, the said default was *bona-fide*. He further submits that the petitioner is ready to appear and join the proceedings before

the learned trial Court and further requests that in case of his appearance before the trial Court, he be granted the concession of bail again.

Notice of motion.

Mr. Akashdeep Singh, learned APP, UT Chandigarh, has put in appearance on behalf of the respondent – UT Chandigarh and opposed the request of the learned counsel for the petitioner by submitting that petitioner, in fact, had knowledge about the date of appearance, but to prolong the proceedings, he kept himself absent from the Court.

Considering the contentions made by learned counsel for the petitioner, I am of the view that the petitioner should be granted one opportunity to appear before the trial Court. In case, the petitioner appears before the trial Court, within a period of one week from today i.e. upto 23.08.2022, the learned trial Court would release him on bail subject to his furnishing requisite fresh bail/surety bonds to the satisfaction of the trial Court. Besides, petitioner would submit a specific undertaking that he will keep appearing during the proceedings of the trial in future and the proceedings would not be delayed because of his conduct.

In view of above, the present petition is allowed and the impugned order dated 07.07.2022 (Annexure P-1), passed by learned JMIC, Chandigarh, is quashed.

(SANJAY VASHISTH)
JUDGE

August 16, 2022

J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No