

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

**CRM-M-55006-2022
DECIDED ON: 12th DECEMBER, 2022**

SEEMA BANSAL AND ANOTHER

.....PETITIONERS

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Suresh Kumar Jindal, Advocate
 for the petitioners.

SANDEEP MOUDGIL, J (ORAL)

Prayer in the present petition is for quashing of the order dated 10.11.2022 passed by learned Chief Judicial Magistrate, Panipat vide which regular bail of the petitioners, was cancelled due to their non-appearance on the date of hearing, without giving them any show cause notice or opportunity of hearing in case FIR No. 99, dated 19.01.2020, under Sections 406, 420, 506 and 120-B and 34 IPC, registered at Police Station City, Panipat.

Learned counsel for the petitioners contends that the petitioners could not appear before the Court on 10.11.2022 as they were suffering from fever. It is asserted that an application seeking exemption from personal appearance has been dismissed by the trial Court vide impugned order dated 10.11.2022 (Annexure P-1), as it was not supported with any medical prescription or certificate of any Doctor.

It has been observed in the impugned order that the petitioners

are in habit of seeking exemptions on each and every date. From the zimini orders dated 13.08.2022 and 25.08.2022, it reflects that the petitioners had sought adjournment on the pretext of compromise effected between the parties but the complainant was not called upon to verify the factum of compromise.

Notice of motion.

On the asking of Court, Mr. Chetan Sharma, AAG, Haryana accepts notice on behalf of respondent-State and submits that the bail of the petitioners has been rightly cancelled since they are regular offender and have been taking exemption from personal appearance time and again from the Court, therefore, they do not deserve any leniency from this Court.

Be that as it may, to meet the ends of justice and to authenticate the veracity of the alleged compromise effected between the parties, this Court is of the considered view that if the petitioners have settled their dispute, the litigation can be put to rest and the parties may live in peace.

At this stage petitioners are directed to surrender before the trial on 20.12.2022 and apply for regular bail.

In case, such an application for bail is moved by the petitioners before the trial Court after their surrender, the same shall be considered and decided on the same date, in accordance with law.

The present petition stands disposed of accordingly.

(SANDEEP MOUDGIL)
JUDGE

12th DECEMBER, 2022

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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>