

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

CRM-M-690-2023

Date of Decision: January 11, 2023

Malkiat Kaur

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. B.S. Beniwal, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

Petitioner was on bail in case FIR No.441, dated 04.08.2017, registered at Police Station Sadar Ratia, District Fatehabad, under Sections 323, 452 and 506 of IPC.

The case was fixed before learned SDJM, Ratia for prosecution evidence on 16.12.2022 when the petitioner failed to appear in the Court and so her bail was cancelled and bonds were forfeited to the State. Warrants of arrest were directed to be issued.

Petitioner seeks quashing of the order dated 16.12.2022 on the ground that in the e-portal through internet, the hearing of the case was shown to be adjourned as 13.01.2023 at 8 a.m. Although, it does not appear probable that the matter was adjourned at 8 a.m. in December, 2022 and I find no reason to quash the order dated 16.12.2022 but considering the fact that the petitioner absented only once, the present petition is disposed of with a direction to the petitioner to appear before the Trial Court on or before 13.01.2023, the date already fixed there. On her such appearance, her bail petition shall be considered on the same date. However, the Trial Court will be at liberty to initiate the proceedings under Section 446 Cr.P.C. against the petitioner before deciding the bail petition.

If in the meantime, the petitioner is sought to be arrested, she shall be admitted to interim bail to the satisfaction of the Arresting Officer.

Disposed of.

January 11, 2023

sarita

Whether reasoned/speaking: Yes/No Whether reportable: Yes/No

**(DEEPAK GUPTA)
JUDGE**