

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARHCRM-M-27826 of 2023
Date of Decision:30.05.2023.

Harpreet Kaur

.....Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWALPresent: Mr. Umesh Kumar Kanwar, Advocate
for the petitioner.

VIKRAM AGGARWAL, J. (ORAL)

1. Prayer in the present petition preferred under Section 482 of the Code of Criminal Procedure, 1973 (for short 'the Cr.P.C.') is for setting aside the order dated 03.04.2023 (Annexure P-3) passed by the Special Judge, Jalandhar, vide which the bail of the petitioner was cancelled, her bail bonds and surety bonds were forfeited and non-bailable warrants were issued to procure her presence on 02.05.2023.

2. Learned counsel for the petitioner submits that the petitioner was facing trial in case FIR No.1 dated 20.01.2022, under Section 21(b) of the Narcotics Drugs and Psychotropic Substances Act, 1985 (for short 'the NDPS') (Sections 25 and 29 NDPS Act, added subsequently), registered at Police Station Patara, District Jalandhar. She was regularly appearing before the trial Court but could not appear on 03.04.2023 as a wrong date had been noted. He submits that the absence was totally unintentional and *bona fide*. Learned counsel submits that the petitioner is willing to appear before the trial Court but apprehends that the moment she appears, she shall be arrested.

3. I have considered the submissions made by learned counsel for the petitioner.

4. The bail of the petitioner was cancelled vide order dated 03.04.2023 (Annexure P-3). The order does not mention any previous default in appearance of the petitioner. The reason given by learned counsel for the petitioner for non-appearance of the petitioner on 03.04.2023 seems to be a plausible reason.

Without commenting on the merits of the case, the present petition is disposed of with a direction that in case the petitioner surrenders before the trial Court within a period of 10 days from today and files an application for bail, she shall be released on bail to the satisfaction of the Court concerned. However, in case of any subsequent default, the trial Court would be free to initiate action in accordance with law.

May 30th, 2023
Rekha

(VIKRAM AGGARWAL)
JUDGE

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