

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

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**CRM-M-39728-2023
Date of Decision: 11.08.2023**

Radha Rani and another

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**Present:** Mr. Puneet Kumar Bansal, Advocate for the petitioner.

SUVIR SEHGAL, J.(Oral)

1. Instant petition has been filed under Section 482 Cr.P.C for quashing of order dated 05.07.2023 (Annexure P-5) passed by learned Sessions Judge, Ferozepur vide which bail orders of petitioners were cancelled, bail bonds and surety bonds were forfeited.

2. Counsel for the petitioners submits that the petitioners were named as an accused in FIR No. 77 dated 28.05.2020 lodged for offences under Sections 306 and 34 IPC at Police Station Kulgari, District Ferozepur (Annexure P-1). He asserts that both the petitioners were apprehended and released on regular bail by the learned Additional Sessions Judge vide orders Annexures P-2 and P-3. He submits that the petitioners have been regularly appearing before the trial Court and the trial is at the fag end and is pending for addressing final arguments. He argues that due to wrong noting of the date, petitioners could not appear before the trial Court on 05.07.2023 when

the impugned order was passed. He submits that petitioners had approached

this Court by filing anticipatory petition which was withdrawn vide order dated 07.08.2023 (Annexure P-7) in order to enable them to avail the appropriate remedy. He has specific instructions to state that the petitioners are ready to surrender before the trial Court and join the proceedings within any reasonable time granted by this Court.

3. Notice of motion.
4. On asking of the Court, Mr. Arun Luthra, DAG, Punjab, accepts notice on behalf of the respondent-State. He has opposed the petition by submitting that there are serious allegations against the petitioners. He submits that brother-in-law of petitioner No. 2 had committed suicide as there was an estrangement between the petitioner No. 2 and his wife and the deceased could not bear bittering between them.
5. I have heard learned counsel for the parties and considered their respective submissions.
6. Noticing the offer made by the petitioners, which seems sincere, this Court is inclined to grant an opportunity to them to appear before the Trial Court.
7. In case the petitioners appear/surrender before the trial Court within a period of two weeks from today and join the proceedings, they shall be released on bail on furnishing of fresh bail and surety bonds to the satisfaction of the Court concerned.
8. Petition is disposed of.

(SUVIR SEHGAL)

JUDGE

11.08.2023

Rajeev (rvs)

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