

124 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-44443-2023
Decided on : 05.09.2023

Kulwant Kaur Dhillon

..... Petitioner

Versus

Pahara Singh (since deceased) through LRs

..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Amanpreet (A.P.)Singh, Advocate
for the petitioner.

Manjari Nehru Kaul, J.(Oral)

Instant petition has been filed under Section 482 Cr.PC for quashing of the order dated 05.01.2023 (Annexure P-2) passed by JMIC, Malerkotla in complaint case No.NACT/185/2021 titled as “Pahara Singh vs. Kulwant Kaur” under Section 138 of Negotiable Instruments Act, 1881 (hereinafter referred to as ‘the Act’) vide which the bail bonds of the petitioner were forfeited and non-bailable warrants were issued against her.

2. Learned counsel for the petitioner submits that subsequent to the registration of complaint under Section 138 of the Act, the petitioner was regularly appearing and was granted bail by the Court below. Learned counsel further submits that due to unavoidable circumstances, she could not appear before the trial Court on 05.01.2023 and her bail bonds were forfeited by passing the impugned order. Learned counsel still further submits that the petitioner is ready to appear and surrender and thereafter join proceedings before the trial Court.

3. Heard learned counsel and perused the relevant material available

on record.

4. In view of the submissions made above, the petition is disposed of with directions to the petitioner to appear and surrender before the trial Court on or before 12.09.2023 and move appropriate application for grant of bail. Till then, no coercive steps be taken against the petitioner. The trial Court on such application being moved shall decide it expeditiously in accordance with law. It is, however, made clear that in case the petitioner fails to appear and surrender before the Court below within the above stipulated time period, then this order shall be of no avail to her, thereafter.

05.09.2023
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(MANJARI NEHRU KAUL)
JUDGE

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