

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

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**CRM-M-59710-2023
Date of decision: 04.12.2023**

BABITA AND OTHERS

....Petitioners

Versus**STATE OF PUNJAB**

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Naveen Sharma, Advocate
for the petitioners.

KULDEEP TIWARI. J.(Oral)

Through the instant petition, as instituted under Section 482 of the Cr.P.C., the petitioners seek quashing of the impugned order dated 08.11.2023, which is enclosed as Annexures P-2, with the instant petition. Vide the impugned order (supra), the bail of the petitioners have been cancelled and their bonds have been forfeited, besides their warrants of arrest have also been issued.

2. The learned counsel for the petitioners submits that the absence of the petitioners before the learned trial Court was neither intentional nor wilful, as they have been regularly appearing in the trial court proceedings. What led to the petitioners remaining unrepresented before the learned trial court on the relevant date, was that, the petitioners before the learned trial Court concerned inadvertently noted down the wrong date of hearing.

3. Though the learned counsel for the petitioners has herein challenged the impugned order (supra), however, he could not cite any illegality or perversity therein. Therefore, learned counsel for the petitioners submits that the petitioners

are ready and willing to join the trial proceedings, in case they are granted adequate protection.

4. Relying upon an order passed by this Court, whereby, the petitioners were granted the concession of bail, the learned counsel for the petitioners submits that the petitioners apprehends their arrest, in case they surrenders before the learned trial Court concerned.

5. Since the learned counsel for the petitioners is not assailing the validity of the impugned order (supra), therefore, the impugned order is upheld. However, in case, the petitioners surrender before the learned trial Court concerned on 11.12.2023, and thereupon, makes an application for grant of regular bail, the learned trial Judge concerned shall make an endeavour to decide the said application on the same day itself. The arrest of the petitioners shall remain stayed until 11.12.2023. However, in case, the petitioners fails to appear before the learned trial Court concerned on 11.12.2023, the protection granted hereinabove qua their arrest shall stand automatically vacated.

6. Disposed of accordingly.

04.12.2023
amandeep

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No