

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

**CRM-M No. 8656 of 2024 (O&M)
Date of Decision: 29.02.2024**

Nidhi

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Satnam Singh, Advocate and
Mr. Anshul Sharma, Advocate for
Mr. Rahul Verma, Advocate
for the petitioner.

Mr. Kewal Singh, Additional Advocate General, Punjab.

HARKESH MANUJA, J. (ORAL)

The petitioner, by way of present petition filed under Section 482 Cr.P.C., seeks quashing of the order dated 07.08.2023 (Annexure P-7) passed by the learned Additional Sessions Judge, Jalandhar, in FIR No. 111 dated 21.05.2022, under Sections 21(b), 29, 61, 85 of NDPS Act, registered at Police Station Phillaur, District Jalandhar, whereby the bail of petitioner has been cancelled while forfeiting her bail / surety bonds due to non-appearance.

[2] In the present case having been implicated in FIR (supra), the petitioner was granted concession of regular bail and continued to appear before the Trial Court thereafter, but for 07.08.2023 when on account of noting down of wrong date(s), could not appear before the trial Court, resulted into cancellation of her bail.

[3] While impugning the aforesaid order dated 07.08.2023 (P-7), learned counsel for the petitioner submits that non-appearance of the petitioner was wholly unintentional as the petitioner never intended to evade the process of law. It has been further submitted that since 07.08.2023 till today, the petitioner never indulged herself in any kind of criminal activity and she is ready to surrender before the Trial Court to join the proceedings.

[4] On the other hand, prayer has been opposed at the instance of learned State Counsel while submitting that the petitioner absented herself on 07.08.2023 whereas she has approached this Court only in the month of February, 2024 i.e. after a period of almost 06 months and in the meanwhile the Trial Court had initiated all necessary steps to secure presence of the petitioner, but to no effect as the petitioner was evading the process of law with deliberate intent.

[5] I have heard learned counsel for the parties and gone through the paper book.

[6] Considering the fact that the petitioner could not appear before the Trial Court on 07.08.2023 on account of noting down of wrong date(s) of hearing by her; besides, nature of FIR registered against her and the fact that she never indulged herself in any kind of criminal activity post 07.08.2023 till date and also that she is ready to join the proceedings before the Trial Court, purely in the interest of justice, the order dated 07.08.2023 (P-7) passed by the learned Additional Sessions Judge, Jalandhar, is set aside. The petitioner is directed to appear before the Trial Court concerned within a period of 07 (seven) days from today and furnish her fresh bail bonds / surety bonds to its satisfaction and till then, no coercive steps shall be taken

against her.

[7] **Disposed off** accordingly.

[8] This order, however, shall be subject to payment of cost(s) of Rs.10,000/- to be deposited by the petitioner with the District Legal Services Authority, Jalandhar, within a period of one week from the date of receipt of certified copy of this order.

February 29, 2024

'dk kamra'

**(HARKESH MANUJA)
JUDGE**

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>