

114 IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-9366-2024

Date of Decision: 27.02.2024

Resham Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA**

Present: Mr. Sarju Puri, Advocate for the petitioner.

\*\*\*\*

**HARKESH MANUJA, J. (Oral)**

1. By way of present petition filed under Section 482 Cr.P.C., prayer has been made for issuance of direction to the Court of learned Judicial Magistrate Ist Class, SBS Nagar to accept the surety bonds furnished by the petitioner in the shape of immovable property as per the direction issued by this Court vide order dated 10.03.2023, passed in CRM-M-8662-2023, whereby the petitioner was permitted to go/stay abroad, subject to her furnishing of bank gurantee to the tune of Rs.50 lakhs in the shape of immovable property as well as subject to furnishing of an undertaking in this regard to the satisfaction of the court concerned.

2. Pointing towards an order dated 02.06.2023 passed by the trial Court, learned counsel for the petitioner submits that though the surety bonds as per the direction issued by this Court were furnished before the trial court in the shape of property owned by the petitioner, duly verified/valued by the revenue officials to the tune of Rs.52 lakhs and the petitioner went abroad, however, no formal order for acceptance of the said surety bonds was passed by the trial court thereby creating a bonafide apprehension in the

mind of the petitioner about its acceptance. Hence the present petition.

3. Notice of motion.

4. Mr. Kewal Singh, Additional Advocate General, Punjab accepts notice on behalf of the respondent-State.

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

6. A perusal of the order dated 10.03.2023 passed by this Court shows that perhaps the confusion occurred because of the use of word “bank gurantee” at page 5 of the same; though the intent & purport of the order was to direct the petitioner to furnish surety bonds in the shape of immoveable property valuing Rs.50 lakhs, which was duly complied with. Trial Court being deeply conscious of the intent of the order dated 10.03.2023 even accepted the said surety bonds furnished by the petitioner and permitted her to visit abroad, however, it appears that no formal order was passed in this regard just because of the disarray occurred at page 5 of the same, wherein, the word “bank gurantee” was written.

7. In view of the above, the present petition is disposed of with an observation that the petitioner having duly furnished the surety bonds to the tune of Rs.50 lakhs in the shape of one of her properties duly verified/valued by the revenue authorities, no further orders are required to be pass in compliance of the order dated 10.03.2023 passed in CRM-M-8662-2023.

27.02.2024  
sonika

**(HARKESH MANUJA)**  
**JUDGE**

Whether speaking/reasoned: yes/no  
Whether reportable? yes/no