

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

**CRM-M-12371-2024
DECIDED ON: 12.03.2024**

STAFFINPREET KAUR

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Sukhdeep Singh, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 482 Cr.P.C. for setting aside the order dated 29.01.2024 (Annexure P-3), passed by learned Additional Sessions Judge, SAS Nagar, Mohali, vide which the bail of the petitioner stands cancelled and her bail/surety bonds were forfeited to the State in FIR No.208, dated 17.09.2020 (Annexure P-1), under Sections 307, 450, 148, 149 and 506 IPC, 1860 and Section 25 of Arms Act, 1959, registered at Police Station City Kharar, District SAS Nagar, Mohali.

Learned counsel for the petitioner submits that it is only on one occasion i.e. on 29.01.2024, when the petitioner could not appear before the trial Court, however, she has been continuously appearing on each and every date. He further submits that the petitioner could not appear before the trial Court on the said date i.e. 29.01.2024 as she stuck upon the occasion of her own marriage and she had wrongly noted the date as 29.02.2024 instead of 29.01.2024. Due to her absence on the said date, her bail stands cancelled and bail/surety bonds were forfeited to the State and she was summoned through non-bailable warrants for 08.03.2024.

He undertakes that the petitioner will surrender before the trial Court and shall join the trial proceedings without any delay or default in future.

Notice of motion.

On the asking of the Court, Mr. Rajiv Verma, DAG, Punjab accepts notice on behalf of the respondent-State, who is not averse to the undertaking given by the petitioner that she will surrender before the trial Court.

In view of the above, the petitioner is directed to surrender before the trial Court within a period of one week from today and apply for regular bail.

In case, such an application for bail is moved by the petitioner before the learned trial Court, the same shall be considered on the same date and decided in accordance with law.

However, it is made clear that in case the petitioner does not abide by the aforesaid undertaking, the respondent/State shall be at liberty to move an appropriate application for revival of the instant petition.

The aforesaid order/concession to the petitioner shall be subject to payment of costs of Rs.10,000/- to be deposited with the Punjab and Haryana High Court Bar Clerk Association, Chandigarh and a receipt of the same be produced before the Trial Court and only in that eventuality, application of the petitioner for seeking bail be considered.

The instant petition is disposed of in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

12.03.2024
Poonam Negi

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