

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

125

CRM-M-20684 of 2024
Date of Decision: 26.04.2024

Deepa Rani

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Ashish Grewal, Advocate
for the petitioner.

Mr. Baljinder Singh Virk, Sr. DAG, Haryana.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 482 Cr.P.C. for quashing of the order dated 12.06.2019 (Annexure P-2) passed by the Additional Sessions Judge, Yamuna Nagar at Jagadhri, whereby, the bail order dated 11.04.2019, has been cancelled and bail bonds/surety bonds of the petitioner were forfeited on account of non-appearance on 12.06.2019.

Learned counsel for the petitioner submits that the petitioner was regularly appearing before the trial Court till 12.06.2019 but due to miscommunication between the lawyer and the petitioner about noting down the wrong date i.e. 10.09.2019 instead of 12.06.2019, she could not appear on that date. He further submits that non-appearance of the petitioner is neither willful nor deliberate but only on account of noting down the wrong date and the petitioner is ready and willing to surrender before the trial

Considering the aforesaid facts and circumstances, this Court is convinced that non-appearance of the petitioner on 12.06.2019 before the trial Court is neither intentional nor deliberate and she is ready and willing to surrender before the trial Court.

In view of the above, the petitioner is directed to surrender before the trial Court on 01.05.2024, the date already fixed before the trial Court.

In case, the petitioner surrenders before the trial Court on the stipulated date and moves an application for bail, then the same shall be considered in accordance with law on that very date itself. However, the aforesaid order/concession to the petitioner shall be subject to payment of Rs.10,000/- as costs to be deposited with the Punjab and Haryana High Court Clerks Association and a receipt of the same be produced before the trial Court at the time of surrender.

However, it is made clear that however the conditions, if any, was imposed vide any earlier order vide which she was granted bail on 11.04.2019, as has been pointed by learned State counsel, would be operating as it is.

With the aforesaid directions, the present petition stand disposed of.

26.04.2024

D.Bansal

(SANDEEP MOUDGIL)
JUDGE

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