

2024:PHHC:096420



132.

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

CRM-M-36283-2024

Date of decision: 30.07.2024

Mahinder Kaur

.... Petitioner

Versus

Cholamandlam Investment and Finance Co. Ltd.

.... Respondent

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Gaurav Gaur, Advocate, for the petitioner.

GURBIR SINGH, J. (Oral)

1. Present petition has been filed under Section 528 of Bhartiya Nagrik Suraksha Sanhita, 2023 for quashing of order dated 01.05.2024 (Annexure P-3) passed by learned Judicial Magistrate Ist Class, Patiala, in a complaint bearing No.2907 of 2019 titled as *Cholamandalam Investment and Finance Co. Ltd. Versus Mahinder Kaur*, filed under Section 138 read with Section 142 of the Negotiable Instruments Act, 1881, vide which, the bail order of the petitioner has been cancelled, bail bonds have been forfeited to the State and non-bail warrant of arrest has been issued against her.

2. It is submitted that the petitioner, being illiterate lady, noted wrong date and could not appear before the trial Court on 01.05.2024. Her non-appearance was neither willful nor intentional. Petitioner is ready to furnish fresh bail bonds and surety bonds and also undertakes to appear

before the trial Court on each and every date of hearing and will not delay the trial.

3. Having heard the submissions of learned counsel for the petitioner, present petition is disposed off with a direction that in case, the petitioner surrenders before the trial Court within 10 days from today, she shall be admitted on bail on her furnishing fresh bail bonds and surety bonds to the satisfaction of trial Court. The trial Court may impose any condition as it may deem fit in the peculiar facts and circumstances of the case.

(GURBIR SINGH)
JUDGE

July 30, 2024
sanjeev

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