



208 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-38519-2024

Date of Decision: 28.10.2024

JASWINDER KAUR

...Petitioner

Vs.

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM:- HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Ruhani Chadha, Advocate for the petitioner.
Mr. Sahil R. Bakshi, AAG, Punjab.

KULDEEP TIWARI, J. (Oral)

The instant petition is being filed for quashing of order dated 09.04.2024 (Annexure P-5) passed by the trial Court, Jalandhar in FIR No. 30 dated 22.02.2024 (Annexure P-1) under Section 177, 420, 465, 467, 468, 120-B IPC, 1860 registered at Police Station Navi Baradari, Jalandhar, Punjab, whereby, the application moved by the respondent no. 2/complainant seeking cancellation of the bail of the petitioner has been allowed and the bail of petitioner was cancelled and bail bonds and surety bonds were forfeited and petitioner was summoned through non-bailable warrants of arrest on the ground that peittioner failed to execute the sale deed despite having given one month's time.

2. The petitioner was granted bail by the learned trial Court concerned, on account of compromise effected between the parties concerned, the relevant extract of the order is reproduced as follows:

“The accused in the present case has been booked

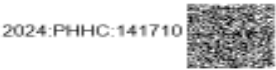


offences under Section 177/420/465/467/469/120-B of IPC. However, today complainant on the basis of whose statement present FIR was registered against the accused has appeared and suffered his statement that compromise has been effected between the parties and he has no objection if the bail is granted to the accused Jaswinder Kaur. He has also placed on record copy of compromise Ex.C.1 and copy of his aadhar card as Ex.C.2.

In view of compromise effected between the parties and no objection statement suffered by the complainant, this court finds that no purpose shall be solved by keeping the accused in custody since otherwise also, the entire evidence is documentary in nature and compromise has already been effected. As such, accused/applicant is ordered to be Rs.1,00,000/- with one surety in the like amount. Bail bonds and surety bonds furnished which are accepted and attested. Since surety bonds are in the shape of FDRs, as such necessary intimation be sent to the concerned bank. Accordingly Bail application stands disposed of as allowed. It be tagged with remand papers. Copy of this order be sent to Jail Superintendent.”

3. Subsequently, on an application moved by the complainant on the ground that the petitioner has not adhered to the terms and conditions of the compromise, the learned trial Court concerned, proceed to cancel the bail vide order dated 09.04.2024, which has caused grievance to the petitioner, and propelled her to file the instant petition with the prayer made above.

4. This Court has granted anticipatory bail to the son of the present petitioner, who is also a co-accused, and furthermore, who had made a statement before the learned Civil Court concerned, to make



compliance of the terms and conditions of the agreement, since now the petitioner has made compliance of the agreement, this Court deem it appropriate to interfere in the impugned order, which is, hereby **set aside**.

5. The regular bail granted by the trial Court vide order dated 28.02.2024 is, hereby **confirmed**.

6. In view of the above, the petition stands **allowed**.

(KULDEEP TIWARI)
JUDGE

28.10.2024

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