



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

CRM-M-45757-2024
Date of decision: 17.09.2024

Sunita Rani @ Gogi

...Petitioner

Versus

State of Haryana.

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Kuldeep Singh Siwach, Advocate
for the petitioner.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioner under Section 482 Cr.P.C seeking quashing of order dated 19.04.2024 Annexure P-10 passed by the Court of Additional Sessions Judge, Fatehabad vide which the bail bonds of the petitioner were cancelled and she was directed to be summoned through non bailable warrants of arrest by the said Court in criminal case having FIR No. 187 dated 27.03.2022 , under Sections 21(b), 27-A of NDPS Act, Police Station, City Fatehabad, District Fatehabad Annexure P-10, on account of the absence of the petitioner on the date fixed in the trial.

2. Counsel for the petitioner submits that no recovery was effected from the present petitioner and was nominated as accused on the basis of disclosure statement of co-accused from whom 7.5 grams of heroin was recovered. It is further submitted that at the initial stage, the petitioner was granted anticipatory bail by the co-ordinate Bench of this Court vide order dated 01.08.2022 Annexure P-4. Subsequently, on presentation of challan, the petitioner was granted regular bail by the learned trial Court vide order Annexure P-5 dated 30.01.2023. Counsel for the petitioner further submits that due to some personal difficulty, the petitioner failed to appear before the trial Court on 19.04.2024 and asked his counsel to inform



the Court concerned. However, the counsel failed to do so and resultantly, impugned order Annexure P-10 was passed by the trial Court in a hasty manner. It is further submitted that this was single default on the part of the petitioner and further the absence of the petitioner on the date fixed before the trial Court was not intentional and the petitioner is ready to join the proceedings before the trial Court at the earliest.

3. Notice of motion.

4. Ms. Harpreet Kaur, AAG, Haryana, accepts notice on behalf of the State and submits that the petitioner got absented without any intimation to the trial Court on 19.04.2024 and consequently, the trial Court passed impugned order in accordance with law. However, the State counsel has not disputed the fact that the present case is relating to recovery of non commercial quantity of contraband that to from co-accused and petitioner was nominated as accused only on the basis of disclosure statement made by the said co-accused.

5. In light of the above, without expressing any opinion on the merits of the case and in order to avoid any further delay in trial, the petitioner is hereby directed to join proceedings before the trial Court within next 10 days and on her doing so, the petitioner is to be released on regular bail by the Court concerned to its own satisfaction and subject to cost of Rs.5000/- to be deposited by the petitioner with the District Legal Services Authority concerned.

6. Disposed of in aforesaid terms.

17.09.2024

Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No