



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

CRM-M No.48889 of 2024
Date of decision: 30th September, 2024

Balwinder Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Ramnish Puri, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner in the instant petition filed under Section 482 Cr.P.C. is praying for quashing of the order dated 30.07.2024 (Annexure P-4) passed by the learned trial Court vide which non-bailable warrants have been issued against her in case FIR No.171 dated 19.06.2023 under Sections 21-B, 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station STF, District SAS Nagar (Mohali) owing to her non-appearance in the Court.

2. Learned counsel for the petitioner submits that the petitioner had been regularly appearing before the Court concerned and it was only on two dates i.e. 27.05.2024 and 30.07.2024 that she was unable to put in an appearance on account of the ill health of her 9 month-old child. He submits that it was thus, for a genuine reason that the petitioner was unable to put in an appearance before the Court. Learned counsel further

submits that the petitioner is ready to appear and join proceedings before the learned trial Court. Hence, in the aforementioned facts and circumstances, the petitioner be protected till her appearance before the Court concerned and the Court be directed that her application, which she would be filing on her surrender, be decided expeditiously.

3. Notice of motion.

4. Mr. Navdeep Singh, Dy. Advocate General, Punjab who is present in Court, accepts notice on behalf of the State.

5. I have heard learned counsel for the parties and perused the relevant material on record.

6. In view of the limited prayer made by learned counsel appearing on behalf of the petitioner, the petition is disposed of with direction to the petitioner to appear and surrender before the learned trial Court within seven days from today. Till then, no coercive steps shall be taken against the petitioner, subject to payment of costs in the sum of ₹10,000/- which shall be deposited with the District Legal Services Authority, SAS Nagar (Mohali) as well as planting 6 indigenous trees (3 fruit-bearing and 3 shady trees) within the judicial complex at Mohali, with the specific area to be identified by the DLSA concerned, within seven days from today which shall be a condition precedent; the DLSA would also ensure the proper maintenance and upkeep of the trees so planted.

7. However, it is made clear that in case the petitioner fails to surrender before the Court concerned within the above stipulated time

period, this order shall be of no avail to her, thereafter. In case, on appearance and surrender, the petitioner moves an application for bail, the learned trial Court shall make earnest efforts to decide the same expeditiously in accordance with law.

(MANJARI NEHRU KAUL)
JUDGE

September 30, 2024

rps

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