



117 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-51050-2024
Date of decision : 18.10.2024

Harbans KaurPetitioner
Versus
State of Punjab Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Ravi Malhotra, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

1. Prayer in the present petition is for quashing of order dated 31.08.2024 (Annexure P-3) vide which learned Trial Court, has cancelled the bail, granted to the petitioner and non-bailable warrant has been issued in case FIR No.69 dated 11.05.2020 under Sections 420 and 120-B IPC and Section 13 of Punjab Travel Professional (Regulation) Act, registered at Police Station Goraya, District Jalandhar Rural.

2. It has been contended by counsel for the petitioner that in the above said case the petitioner was on bail and was regularly appearing before the trial Court. However, on one date i.e. on 31.08.2024, she was suffering from high blood pressure and due to this reason she remained absent from the Court and as a result thereof her bail order was cancelled and her bail bonds were directed to be forfeited. He submits that the petitioner has no criminal antecedents and she is ready to join the proceedings and abide by the terms and conditions of bail.

3. Notice of motion to official respondent only.

4. On asking of the Court, Mr. Tarun Aggarwal, Sr. D.A.G., Punjab accepts notice on behalf of the respondent-State.

5. Learned State counsel has opposed the submissions made by



learned counsel for the petitioner and has stated that the trial Court has rightly cancelled the bail granted of the petitioner who remained absent on 31.08.2024 without any valid reason.

6. After hearing counsel for the petitioner and perusing the record, it is apparent that the petitioner remained absent on one day i.e. on 31.08.2024 and her bail was cancelled and bail bonds were directed to be forfeited. The reason for her absence has been given that she was suffering from high blood pressure. The petitioner is keen to join the proceedings. So keeping in view the abovesaid facts, the present petition is disposed of and the impugned order dated 31.08.2024 is *set aside* subject to payment of Rs.10,000/- as costs to be paid to the ‘Punjab and Haryana High Court Bar Association’ by the petitioner within one week from today. In case, the petitioner appears and surrenders before the Court concerned within a period of 10 days from today and files an application for bail alongwith receipt of abovesaid costs, the Court concerned is directed to admit her to bail subject to its satisfaction and proceed with the trial in accordance with law. She will have protection from arrest for a period of 15 days from today.

7. Needless to say that in case the petitioner fails to comply with the abovesaid direction, she will have no benefit of abovesaid protection granted by this Court and order under challenge dated 31.08.2024 would come in force and the present petition shall be deemed to have been dismissed.

18.10.2024
ps-I

(RAJESH BHARDWAJ)
JUDGE

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