



CRM-M-53030-2024

-1-

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

CRM-M-53030-2024

Date of Decision: 23.10.2024

Beena Yadav

..... Petitioner

Versus

Punjab National Bank

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Raja Paramdeep Saini, Advocate, for the petitioner.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for quashing of the order dated 15.05.2024 (Annexure P-7) passed by learned Judicial Magistrate Ist Class, Gurugram in case NACT No.10215/2015 dated 20.03.2019, whereby, bail of the petitioner has been cancelled and he has been ordered to be summoned through warrants of arrest.

2. It has been contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. He submits that petitioner was granted bail by the learned trial Court and thereafter, he was regularly appearing before the Court. He submits that on 15.05.2024 due to unavoidable circumstances, the petitioner could not appear before the Court due to which his bail was cancelled and he was ordered to be summoned through warrants of arrest. He submits that absence of the petitioner was totally unintentional and due to the circumstances beyond his control. He further submits that the petitioner is ready to appear before the trial Court and abide by all the terms and condition, if any imposed by this Court.

3. After hearing learned counsel for the petitioner and perusing the record, it is evident that on 15.05.2024, the petitioner remained absent

and due to his non-appearance, his bail was cancelled and he was ordered to be summoned through warrants of arrest. In these circumstances, when the petitioner is ready to join the proceedings and face the trial, the order dated 15.05.2024 is set aside subject to payment of Rs.25,000/- as cost to be paid to the complainant by the petitioner within a period of ten days from today.

4. The petitioner is directed to appear before the trial Court within a period of ten days from today and file an appropriate application alongwith costs of Rs.25,000/- and the trial Court would grant him bail till the disposal of the case on his furnishing fresh bail/surety bonds to its satisfaction. The petitioner will have protection from arrest for a period of ten days from today. Costs of Rs.25,000/- shall be paid to the complainant forthwith on his appearance before the trial Court. The trial Court is free to impose any condition on the petitioner while admitting him to bail.

5. Needless to say that in case the petitioner fails to comply with the abovesaid direction, this order would be of no avail to him and the order dated 25.05.2024 will come in force and the present petition shall be deemed to have been dismissed.

6. Petition stands disposed of in abovesaid terms.

23.10.2024

sharmila

Whether Speaking/Reasoned

Whether Reportable

:

:

(RAJESH BHARDWAJ)

JUDGE

Yes/No

Yes/No