

**CRM-M-53064-2024****1****IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH****CRM-M-53064-2024****Date of decision : October 23, 2024**

Poonam Yadav

....Petitioner

Versus

Punjab National Bank

....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Ms Isha Goyal, Advocate, for the petitioner

KULDEEP TIWARI, J. (ORAL)

1. The present petition has been filed seeking quashing of impugned order dated 15.5.2024 (Annexure P-7) passed by the learned Judicial Magistrate Ist Class, Gurugram, whereby, the bail and surety bonds of the petitioner has been cancelled and warrants of arrest have been issued in Criminal Complaint No. NACT/10210/2019 dated 20.3.2019, under Section 138 of the Negotiable Instruments Act, 1881 (in short, the NI Act).

2. In asking for the relief (*supra*), learned counsel for the petitioner submits that the petitioner was earlier released on regular bail, and since then the petitioner was regularly appearing before the learned trial Court concerned, whereas, owing to her non-appearance on dated 15.5.2024, the learned trial Court concerned, proceeded to cancel her bail

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bonds, and warrants of arrest were issued against the present petitioner to secure her presence.

3. She further submits that petitioner has no intentions to challenge the legality of the order (*supra*), passed by this Court, however, the petitioner is ready and willing to face the trial, and is ready to surrender before the learned trial Court concerned, in case adequate protection is granted to her.

4. This Court has heard the learned counsel for the petitioner and has gone through the entire case file.

5. Since an innocuous and a *bona fide* prayer has been made by learned counsel for the petitioner, without going into the legality of the impugned order, this Court directs the petitioner to surrender before the learned trial Court concerned within 10 days from today.

7. In case the petitioner surrenders before the learned trial Court concerned, within a stipulated time and furnishes fresh bail and surety bonds, the same shall be accepted by the learned trial Court concerned, however, subject to its satisfaction, and the petitioner shall be released on regular bail.

8. In the meanwhile, the arrest of the petitioner shall remain stayed.

9. However, in case, the petitioner fails to appear before the learned trial Court concerned within 10 days from today and furnish bail and surety bonds, the protection granted hereinabove, *qua* her arrest shall



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ipso facto vacated, without any further reference to this Court.

10. **Disposed of accordingly.**

October 23, 2024

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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned ? *Yes/No*
Whether Reportable ? *Yes/No*