



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

CRM-M-1532-2025

Date of Decision:14.01.2025

Nirmal Kaur

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Anupinder Brar, Advocate
for the petitioner.

Mr. Deepinder Singh Brar, Sr. DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 482 of B.N.S.S with a prayer to grant anticipatory bail to her in cross version vide DDR No.42, dated 18.03.2016, under Sections 160,294,323,341,506,509,34 of IPC, registered at Police Sadar Dhuri, in FIR No.54, dated 17.03.2016 registered under Sections 160,294,509,506,341,323,34 of IPC, Police Station Sadar Dhuri, District Sangrur (Annexure P-1).

2. Learned counsel for the petitioner contends that all the offences in the present case are bailable and the petitioner was granted the concession of bail by the Trial Court on 18.03.2019 (Annexure P-2). Thereafter, the petitioner was regularly appearing before the Trial Court, however, 26.09.2024, she informed her counsel that she will not be able to attend the Court proceedings and an exemption application may be filed. Accordingly, the application for exemption from personal appearance was filed, which was allowed by the Trial Court vide order dated 26.09.2024 (Annexure P-3). He further contends that the

petitioner was suffering from viral infection and could not appear before the Trial Court on 24.10.2024, 11.11.2024 and 28.11.2024. However, due to some mis-communication between her and her counsel, the application for exemption from personal appearance could not be filed. He further contends that the act of non-appearance on the part of the present petitioner was due to her ill health and she is ready to surrender before the Court. He further contends that the petitioner is a single lady, living with her son and was not aware of the consequences of non-appearance before the Trial Court, as she was not guided by her counsel. Thus, he prayed for a lenient view may be taken in the matter.

3. On the other hand learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner is avoiding the process of law and does not deserve any sympathy from this Court.

4. I have heard the learned counsel for the parties and perused the record carefully.

5. From a perusal of the record, it is apparent that the Trial Court has rightly cancelled the bail in the present case and there is no illegality in the impugned orders passed by the trial Court. However, the petitioner has offered an explanation for her non-appearance before the Trial Court and also keeping in view the fact that the petitioner is a single lady having minor son and was suffering from ill health, the petitioner is permitted to surrender before the Trial Court/Duty Magistrate within a period of two weeks from today and on her surrender, she shall be admitted to bail subject to furnishing bail bonds and surety to the satisfaction of the concerned Court. However, the petitioner shall

also deposit a sum of Rs.50,000/- as cost, which shall be deposited with ***Punjab and Haryana High Court Bar Clerks Association.***

6. At the time of furnishing of bail bonds, the petitioner shall also file an affidavit before the concerned Court that she shall continue to appear before the Court on each and every date of hearing and shall not absent herself during the court proceedings, except with prior permission of the Court.
7. The Trial Court/Duty Magistrate shall also be at liberty to impose any other conditions, as it deems fit in the peculiar facts and circumstances of case.
8. The petition stands allowed in the above terms.
9. In case, the cost is not deposited, the present petition shall be deemed to be dismissed.

14.01.2025

hitesh

(N.S.SHEKHAWAT)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No