



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

**CRM-M-46649-2025
Date of decision: 26.08.2025**

GULZARA KAUR

...Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present: Mr. Vivek Singla, Advocate for the petitioner.

Mr. Gorav Kathuria, DAG, Punjab.

YASHVIR SINGH RATHOR, J. (Oral)

1. The petitioner is seeking quashing of order dated 18.01.2025 (Annexure P-4), vide which, bail of the petitioner has been cancelled and bonds have been forfeited on account of her non-appearance before the trial Court.

2. Learned counsel for the petitioner argued that petitioner could not appear on the date fixed due to her illness and on the adjourned date of hearing, she could not appear as she had inadvertently noted the wrong date of hearing and on that date, her bail was cancelled. She further stated that her non-appearance was not intentional. She is ready to appear before the trial Court and join the proceedings. Learned counsel further contended that the bail should not be cancelled in a mechanical manner and other means like issuance of summons or bailable warrants should have been resorted to in order to secure the presence of the



petitioner instead of cancelling the bail and forfeiting the bail bonds and thus, he prayed that impugned order be set aside.

3. Notice of motion.

4. Mr. Gorav Kathuria, DAG, Punjab, accepts notice on behalf of the State and has opposed the prayer of the petitioner and has sought dismissal of the petition.

5. A perusal of impugned order shows that even on the previous date, petitioner had not appeared and she again did not appear on the adjourned date i.e. 18.01.2025. Learned trial Magistrate has observed that accused has not appeared intentionally and thereafter, the bail was cancelled and bonds were forfeited. It has also been observed that accused had not appeared on the previous date, meaning thereby, the accused was given an opportunity to appear on the adjourned date and the trial Magistrate has not straightway resorted to coercive means by cancelling the bail. Since petitioner did not appear on the date fixed, the trial Court had no other option except to cancel the bail. Impugned order thus does not suffer from any material illegality or irregularity and no interference in the same is called for.

5. Resultantly, the present petition is dismissed. However, it is made clear that in case, the petitioner surrenders and moves an application for bail, the same shall be decided either on the same day or within two days of her appearance before the trial Court.

(YASHVIR SINGH RATHOR)
JUDGE

26.08.2025

Priyanka Thakur

Whether speaking/reasoned :

Whether Reportable :

Yes/No

Yes/No