



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

CRM-M-51135-2025

Date of decision: 12.09.2025

GURJEET SINGH AND ANR.

....Petitioners

Versus

STATE OF PUNJAB

....Respondent

CORAM:- HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present:- Mr. Prabhjot Kaur, Advocate for the petitioner.

.....

RUPINDERJIT CHAHAL, J. (ORAL)

1. Instant petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed for grant of anticipatory bail to the petitioners in complaint dated 16.08.2019 (Annexure P-2) registered under Section 138/142 of the Negotiable Instruments Act and Section 420 IPC at P.S. Kotwali, Nabha, District Patiala.

2. Learned counsel for the petitioners contends that the petitioners are innocent and have been falsely implicated in the complaint. He contends that the petitioners were appearing on each and every date of hearing and the matter is now fixed for defence evidence. He submits that on 28.07.2025 the petitioners could not appear before the learned Trial Court as petitioner No.2 was suffering from Typhoid and there was no one to take care of her except petitioner No.1.



3. He submits that due to the aforesaid fact, learned Trial Court issued fresh non-bailable warrants and since the same were not received back, the bail of the petitioners was cancelled on 30.07.2025 followed by non-bailable warrants. On 12.08.2025 non-bailable warrants were received back unexecuted resulting into issuance of proclamation for 28.08.2025. Thereafter, the petitioners filed bail application before learned Additional Sessions Judge, Patiala which was allowed and the petitioners were directed to appear before the learned Trial Court within 7 days.

4. Learned counsel for the petitioners further submits that due to weakness and old age ailments and bad weather conditions the petitioners could not surrender before the learned Trial Court.

5. Notice of motion.

6. Mr. Ravinder Singh, DAG Punjab, who is present in Court, accepts notice for the respondent-State and submits that the impugned orders have been passed on the sole ground of the absence of the petitioner.

7. I have heard the learned counsel for the parties and perused the record of the case.

8. The reasons assigned by the petitioners for not attending the Court are that petitioner No.2 was suffering from Typhoid and there was no one to take care of her except petitioner No.1 and due to weakness and bad weather conditions, however, same are not sufficient as they were bound to appear on each and every date without fail. However, taking a lenient view and keeping in view the fact that trial is being delayed due to absence of the petitioners, the bail application is accepted. The petitioners are directed to appear before the learned Trial Court within 15 days from today, and on

their appearance, they are ordered to be released on bail on their furnishing bail bonds/surety bonds to the satisfaction of the learned Trial Court.

9. This order is subject to payment of costs of Rs.20,000/- to be deposited with the in Punjab State Legal Services Authority-Disaster Relief Fund, Account No.44426937384, IFSC:SBIN0014656, State Bank of India, Sector 68, SAS Nagar, Mohali.

10. In case the petitioner fails to surrender within 15 days, this order shall stand vacated automatically without reference to this Court.

11. The petition stands disposed of accordingly.

12.09.2025
puneet

(RUPINDERJIT CHAHAL)
JUDGE

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No