



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

CRM-M-65459-2024

Date of Decision:13.01.2025

Asha Jha

...Petitioner

vs.

State of Punjab and Anr.

...Respondents

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

Present : Ms. Shakti Mehta, Advocate
for the petitioner.

Mr. I.P.S Sabharwal, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 528 of B.N.S.S with a prayer to quash the impugned order dated 13.12.2024 (Annexure P-21) passed by the Court of Judicial Magistrate Ist Class, Dasuya, whereby the bail of the petitioner was cancelled and the bail bonds and surety bonds were ordered to be forfeited to the State and the petitioner was ordered to be summoned through non-bailable warrants of arrest.

2. Learned counsel for the petitioner contends that the husband of the petitioner was suffering from Cancer and she had gone to Christian Medical College, Vellore, Tamil Nadu for his treatment on 13.12.2024, when the case was listed before the Trial Court. Learned counsel for the petitioner also referred Annexures (P-18 and P-19) to contend that her husband was under treatment from Christian Medical College, Vellore, Tamil Nadu and an application for exemption from personal appearance was moved before the Trial Court on the said ground, however, the said prayer was declined and the bail of

the petitioner was cancelled and the bail bonds and surety bonds were ordered to be forfeited to the State and the petitioner was ordered to be summoned through non-bailable warrants of arrest. Learned counsel for the petitioner next contends that the petitioner is ready to appear before the Court and shall join the trial proceedings and shall abide by all the terms and conditions, which may imposed upon her.

3. Even though the learned counsel for the petitioner has failed to point out any illegality in the impugned order passed by the Trial Court, still, keeping in view the health condition of the husband of the petitioner and by taking a lenient view of the matter, 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.

4. 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.

5. In case, the petitioner does not surrender before the Trial Court, the present petition shall be deemed to be dismissed.

6. The petition stands allowed in above terms.

(N.S.SHEKHAWAT)
JUDGE

13.01.2025
hitesh

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No