



CRM-M-5496 of 2026

-1-

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

234

CRM-M-5496 of 2026

Date of Decision: 01.04.2026

Amritpal Kaur

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. H.S. Sehgal, Advocate
for the petitioner.

Mr. Amit Shukla, DAG, Punjab.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in Criminal Appeal No.CRA-63-2025 titled as 'Amritpal Kaur Vs. Vijay Kumari' (arising out of criminal complaint No.100 of 2020-date of institution 02.06.2020, decided by the Court of learned Sub-Divisional Judicial Magistrate, Gidderbaha, District Sri Muktsar Sahib on 27.02.2025), pending in the Court of learned Additional Sessions Judge, Sri Muktsar Sahib.

2. Learned counsel for the petitioner has submitted that the petitioner was convicted under Section 138 of Negotiable Instruments Act to undergo rigorous imprisonment for one year. Thereafter, the petitioner filed an appeal and during the pendency, her sentence was suspended. However,

**CRM-M-5496 of 2026****-2-**

on 22.07.2025, she did not appear in the Court due to which, her SOS was revoked and non-bailable warrants of arrest were issued against her. Thereafter, she filed bail application wherein the Co-ordinate Bench of this Court directed to surrender before the trial Court within 10 days. She did not comply with the said order and sought extension of time which was allowed and she was granted one more week. She surrendered on 06.12.2025 and filed for regular bail, which was dismissed by the trial Court, vide order dated 24.12.2025. Learned counsel further submitted that non-appearance of the petitioner was not intentional but because of the fact that her daughter gave birth to a child and the petitioner had to look after her daughter. He further submitted that the mother of the counsel representing the petitioner in appeal had expired and thus, he could not intimate the learned Appellate Court regarding reasons for non-appearance of the petitioner. He further submitted that the petitioner could not surrender within 10 days as directed by the Co-ordinate Bench of this Court because owing to her financial condition, she could not arrange surety. Therefore, it is urged that the petition deserves to be allowed.

3. On the other hand, learned State counsel has filed the custody certificate of the petitioner, which is taken on record and he has vehemently opposed the prayer for grant of bail by submitting that the petitioner has deliberately avoided the Court proceedings and even flouted the orders of this Court. Hence, she does not deserve any concession from this Court.

4. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the petitioner is in custody for the last more than 03 months and her non-appearance was not

**CRM-M-5496 of 2026****-3-**

intentional, thus, no useful purpose would be served by detaining her in further custody.

5. In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

01.04.2026*D.Bansal***(RUPINDERJIT CHAHAL)
JUDGE**

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