

2026:PHHC:054580



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

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CRM-M-18715-2026 (O & M)

Date of decision: 08.04.2026

JASPREET KAUR

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Balkaran Singh Aulakh, Advocate,
for the petitioner.

AMAN CHAUDHARY, J. (ORAL)

1. The present petition has been filed under Section 528 BNSS for quashing the order dated 17.12.2025, Annexure P-4, whereby non-bailable warrants have been issued against the petitioner.

2. Learned counsel submits that the petitioner had stood surety for her husband, who was declared proclaimed offender on 01.12.2025, however, the said order has been set aside by this Court on 23.12.2025, Annexure P-2, whereafter, he is regularly appearing before the trial Court. His absence during the proceedings was on account of being abroad, while she herself being unwell, had gone to take medicines, thus, could not appear pursuant thereto issuance of bailable warrants, leading to the non-bailable warrants. Her non-appearance was neither intentional nor deliberate, but due to the aforesaid *bona fide* reason. She is ready and willing to surrender and prays for grant of one opportunity for her to appear before the trial Court, even if the same is subject to costs.

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3. Notice of motion.

4. At the asking of the Court, Mr. Manipal Singh Atwal, DAG, Punjab, accepts notice on behalf of the respondent-State and submits that the warrant of arrest has been rightly issued against the petitioner, as the person she stood surety for, had absented from the proceedings.

5. Heard.

6. The very purpose of issuance of warrant of arrest, is to compel and secure the presence of the accused/surety and establish the rule of law, as also to ensure finalization of the proceedings.

7. Considering the fact that proceedings under Section 446 CrPC initiated against the petitioner were on account of the absence of her husband, an accused, whereupon he was declared a proclaimed offender, however the same stands quashed, with directions to him to surrender before the trial Court subject to costs and that the absence of the petitioner was not wilful or deliberate and her readiness and willingness to join the proceedings that would help in expediting the same. This Court finds that the ends of justice would be adequately met if the present petition is allowed.

8. In view of the facts and circumstances of the case, the impugned order dated 17.12.2025, Annexure P-4, is set aside.

9. She is directed to appear before the trial Court on or before 10.04.2026 and join the proceedings, in accordance with law.

10. The petition is disposed of.

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11. Before parting with this order, it is made abundantly clear that in case the petitioner does not adhere to the aforesaid, the present petition shall be deemed to have been dismissed without any reference to this Court.

08.04.2026
parveen kumar

(AMAN CHAUDHARY)
JUDGE

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