



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

159

CRM-M-60622-2025
Date of decision: 19.03.2026

Riya ...Petitioner
Versus
State of Punjab and another ...Respondents

CORAM: HON'BLE MS. JUSTICE AARADHNA SAWHNEY

Present : Mr. M.S. Rana, Advocate for the petitioner.
Mr. Gautam Thapar, Sr. DAG, Punjab.

AARADHNA SAWHNEY, J.(ORAL)

1. Challenge in the present petition is to the order dated 25.08.2025 (Annexure P-8) passed by the Ld. JMIC, Jalandhar in case No. Conviction Paper titled as “Jaspreet Vs. Riya”, vide which on account of non-furnishing of personal bonds, NBWs of the petitioner was issued. Further, challenge is to order dated 30.08.2025 (Annexure P-7) passed by learned Additional Sessions Judge, Jalandhar, vide which application of the petitioner to furnish personal bonds instead of surety bonds was dismissed.
2. Relevant facts as emerging from documents on record be noticed hereinbelow:-

Petitioner was convicted u/s 138 of the NI Act in terms of judgment dated 05.03.2025 passed by learned JMIC, Jalandhar and was sentenced in the following terms:-

Name of convict	Under Section	Sentence
Riya	138 NI Act	R.I. for a period 02 years and to pay a compensation of Rs.1,25,000/- to the complainant.



Aggrieved of the said findings, petitioner filed an appeal before the Ld. Additional Sessions Judge, Jalandhar.

3. Learned counsel contends that vide order dated 21.04.2025, learned Appellate Court suspended the sentence of the petitioner, subject to furnishing bail bonds in the sum of Rs.30,000/- with one surety before the learned trial Court within 20 days. Being a person from economically weaker class, petitioner moved an application seeking relaxation of the condition requiring surety bond, praying to furnish a personal bond instead of surety bonds, which was partly allowed by the learned Additional Sessions Judge vide order dated 08.08.2025, subject to furnishing personal bonds in the sum of Rs.10,000/- with one surety within a period of 15 days. However, due to her financial condition, she could not arrange a surety and again moved an application seeking permission to furnish personal bond only, which was dismissed by the learned trial Court vide order dated 30.08.2025. Prior thereto, the learned trial Court vide order dated 25.08.2025, had issued NBWs against the petitioner for non-furnishing of bonds. Learned counsel further contends that petitioner is willing to immediately surrender before the Court concerned and undertakes to continuously appear before the Ld. Appellate Court.

4. Heard. Documents on record perused.

5. Recently the Hon'ble Supreme Court in similar factual scenario in *Meenakshi Vs. State of Haryana and another (SC): Law Finder Doc Id#2840155* held that there is no requirement for accused to appear on each and every date of hearing before the Appellate or the Revisional Court after the suspension of sentence and grant of bail. It was further held that Appellate Court or the Revisional Court should hear the appeal on merits or



allowed the accused to make alternative arrangements if counsel is not assisting the Court.

6. In the interest of justice, considering the facts and circumstances of the case and judgment referred hereinabove, the impugned orders dated 25.08.2025 and 30.08.2025 passed by the Ld. JMIC and Ld. ASJ, Jalandhar, respectively, are set aside. Petition is disposed of with a direction to the petitioner to appear before the Court concerned within a period of 15 days from today. In case, she surrenders before the court concerned within a period mentioned above, she be released on bail subject to her furnishing personal bonds to the satisfaction of learned First Appellate Court. The Appellate Court is directed to proceed further with the proceedings with the assistance of both, learned counsel appearing for petitioner-accused and respondent-complainant.

7. Disposed of in above terms.

(AARADHNA SAWHNEY)
JUDGE

19.03.2026

Hemant

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