



CRM-M-2447-2025

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-2447-2025 (O&M)

Date of decision : 17.1.2025

Amritpal Kaur

... Petitioner

VERSUS

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Anoop Singla, Advocate,
for the petitioner.

KARAMJIT SINGH, J. (Oral)

Present petition has been filed under Section 482 of Cr.P.C. for setting aside order dated 15.7.2024 (Annexure P-3) passed by the Court of Judge, Special Court, Ludhiana, vide which, the bail of the petitioner was cancelled and she was directed to be summoned through non-bailable warrants of arrest, on account of her absence before the trial Court on the date fixed in the criminal case having FIR No.132 dated 26.7.2022 registered under Sections 21, 25 of NDPS Act at Police Station Sadar Jagraon, District Ludhiana.

2. Counsel appearing on behalf of the petitioner, *inter alia*, submits that during investigation of the case, the petitioner was arrested and was granted regular bail vide order dated 29.8.2022 (Annexure P-2) by the Court concerned and thereafter, the petitioner was regularly appearing in the trial Court on each and every date of hearing. It is further submitted that on account of some medical issue, the petitioner was unable to appear before



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the trial Court on 15.7.2024 and the trial Court acted in a hasty manner and passed order (Annexure P-4) dated 15.7.2024 without taking into consideration the fact that this was single default on the part of the petitioner who is a widow and belongs to poor strata of the society. It is further submitted that the petitioner is ready and willing to appear before the trial Court, at the earliest, in order to avoid any further delay in the trial.

3. Notice of motion.

4. Mr. Jasjeet Singh Dhaliwal, AAG, Punjab accepts notice on behalf of the State and submits that there is no illegality or perversity in the impugned order (Annexure P-3) as on the relevant date, the petitioner got absented without any intimation to the Court concerned. However, the State counsel has not disputed the fact that prior to passing of order (Annexure P-3), the petitioner was on bail.

5. I have considered the submissions made by the counsel for the parties.

6. In view of the fact that the case is relating to recovery of small quantity of contraband coupled with the fact that the petitioner is a widow aged about 34 years and she herself has come forward to join proceedings before the trial Court, the present petition is hereby disposed of in the interest of justice, without expressing any opinion on the merits of the case, and the petitioner is directed to appear before the trial Court on or before the next date fixed in the trial and on her doing so, the petitioner is to be released on regular bail by the said Court to its own satisfaction subject to costs of ₹ 3000/- to be deposited by the petitioner with the District Legal Services Authority concerned.



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7. Needless to say that the petitioner is to remain careful in future and should appear on each and every date of hearing fixed in the trial.

**(KARAMJIT SINGH)
JUDGE**

January 17, 2025
Paritosh Kumar

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