



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

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CRM-M-47321-2025

Date of decision : 27.08.2025

HEENA KHAN ALIAS HINA KHAN

..... PETITIONER

VERSUS

STATE OF U.T CHANDIGARH AND ANR

..... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present : Mr. Dheeraj Kumar, Advocate
for the petitioner.

SURYA PARTAP SINGH. J.(Oral)

1. This is a petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita 2023 (hereinafter referred to as 'BNSS'), for quashing of order dated 04.06.2025 (Annexure P-4) passed by learned Judicial Magistrate 1st Class, Chandigarh (hereinafter referred to as 'trial Court'). The present petition has been filed on the ground that on the abovesaid date, the petitioner could not appear before the learned trial Court as he mistook the said date and in such eventuality, the learned trial Court cancelled the bail of the petitioner and issued warrants of arrest against her.
2. Notice of motion.
3. Mr. Rajiv Vij, Addl. P.P. U.T. Chandigarh appears on behalf of the respondent-State, and waives service.

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4. A perusal of record shows that apparently, there is no defect in the abovementioned order warranting interference of inherent power of this Court. It shall not be out of place to mention here that the petitioner has already tried his luck before the learned trial Court by moving an application for anticipatory bail, but the abovementioned bail application failed to find of the learned trial Court.

5. Since apparently, there is no defect in the impugned order, I do not find any merit in the present petition and the same is hereby dismissed. However, the petitioner is directed to surrender before the learned trial Court within one week from the date of receipt of certified copy of this order and if he surrenders before the learned trial Court within the stipulated period, the learned trial Court shall dispose of the bail application, if moved by the petitioner, within a period of three days thereafter. It is however clarified that the learned trial Court in the exercise of its discretion shall be at liberty to take the petitioner in judicial custody or impose penalty under Section 491 of BNSS (erstwhile Section 446 of CrPC).

(SURYA PARTAP SINGH)
JUDGE

27.08.2025

vipin Whether speaking/reasoned : Yes
Whether Reportable : No