



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

**CRM-M No.18591 of 2025
Date of decision: 08.04.2025**

Sapna RaniPetitioner

Versus

State of Haryana and AnotherRespondents

CORAM: HON'BLE MR. JUSTICE H.S. GREWAL

Present: Mr. Navjit Singh, Advocate for the petitioner.

H.S. GREWAL J.

1. The petitioner in the present petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, is seeking quashing of order dated 23.01.2025 (Annexure P-5) passed by learned Judicial Magistrate Ist Class, Ambala whereby in case no. COMA/2808/2019 titled as “Mahinder Singh Vs. Sapana Rani” vide which the petitioner has been declared a proclaimed person.

2. Learned counsel for the petitioner contends that the petitioner was facing prosecution under Section 138 of Negotiable Instruments Act, 1881. However, she failed to appear before the Court concerned on 24.09.2024 and consequently, her bail was cancelled and her bail bonds and surety bonds were forfeited to the State and warrant of arrest of the petitioner were issued following which, vide order dated 23.01.2025 she was declared as proclaimed person. He further contends that provisions of Section 82 Cr.P.C., were not duly complied.

3. Notice of motion.

4. On the asking of the Court, Ms. Ankita Ahuja, AAG, Haryana, accepts notice behalf of the respondent-State.

5. Learned counsel for the petitioner, on instructions submits that the petitioner undertakes to appear before the trial Court concerned on each and every date and shall not seek any exemption for her personal appearance on any date of



hearing before the trial Court. Hence, in the aforementioned facts and circumstances, the petitioner prays that directions be issued to the Trial Court concerned that her bail application, which she would be filing on her surrender, be decided expeditiously.

6. I have heard learned counsel for the parties and perused the material placed on record.

7. In view of the above, the instant petition is allowed and impugned order dated 23.01.2025 (Annexure P-5) passed by learned Judicial Magistrate Ist Class, Ambala in case no. COMA/2808/2019 titled as “Mahinder Singh Vs. Sapna Rani” stands set aside, subject to the condition that the petitioner shall appear and move an application for bail before the trial Court concerned within 07 days from today subject to payment of costs of Rs.10,000/- to be paid to the complainant and the concerned Court shall release the petitioner on bail, subject to her furnishing bail bonds/ surety bonds to its satisfaction and imposing reasonable conditions as it may deem appropriate in the background of the petitioner-accused’s conduct.

8. It is made clear that in case, the petitioner fails to surrender before the Court concerned within 07 days from today, this order shall be of no avail to her, thereafter.

08th April, 2025

Sonia Puri

Whether speaking/ reasoned

Whether reportable

(H.S. GREWAL)

JUDGE

: *Yes / No*

: *Yes / No*