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

**CRM-M No.55139 of 2025  
Date of decision : 29.09.2025**

**Amritpal Kaur**

**.....Petitioner**

**versus**

**State of Punjab and another**

**..... Respondents**

**CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

**\*\*\*\*\***

Present :- Mr. Harmanpreet Singh Sehgal, Advocate  
for the petitioner.

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**RAJESH BHARDWAJ, J. (Oral)**

1. Present petition has been filed praying for quashing of order dated 22.07.2025 (Annexure P-4) vide which the order suspending sentence of the petitioner has been revoked and non bailable warrants of the petitioner have been issued in a criminal appeal bearing CRA-S No.63 of 2025 titled as 'Amritpal Kaur vs. Vijay Kumari', pending in the Court of learned Additional Sessions Judge, Sri Muktsar Sahib, Punjab.

2. Precise submission made by learned counsel for the petitioner is that the petitioner was falsely prosecuted in a complaint filed under Section 138 of the Negotiable Instruments Act, 1881. He has submitted that after completion of the trial, the petitioner was convicted and sentenced to undergo rigorous imprisonment for a period of 01 year vide order dated 27.02.2025. He has submitted that being aggrieved, the



petitioner filed an appeal before the learned Sessions Court, Sri Muktsar Sahib, in which sentence of the petitioner has been suspended vide order dated 19.03.2025 and the case was fixed for 22.07.2025 for appearance of the respondent/complainant. He has submitted that on 21.07.2025, daughter of the petitioner gave birth to a child and thus, the petitioner had to go there to look after her daughter and newly born child. He has further submitted that the mother of counsel representing the petitioner before the learned trial Court had passed away and thus, he too could not appear before the learned trial Court and intimate to the Court. He has submitted that on account of the death of mother of counsel representing her before the learned trial Court, the suspension order passed in favour of the petitioner dated 19.03.2025 was revoked and the non bailable warrants for the arrest of the petitioner have been issued for 30.09.2025. He has further submitted that absence of the petitioner was *bona fide* and not intentional. He has further submitted that the petitioner is ready to appear before the learned trial Court and abide by the terms and conditions imposed upon her.

3. Notice of motion to official respondent No.1 at this stage.

4. On the asking of the Court, Mr. J. S. Arora, DAG, Punjab appears and accepts notice on behalf of respondent No.1-State. He, on the other hand, has contended that the suspension order of the petitioner was rightly revoked by the learned trial Court and non-bailable warrants of arrest were issued against her, as she failed to appear in the Court despite order.

5. I have heard counsel for the parties and perused the record.



6. It is apparent that the petitioner was prosecuted in a complaint filed under Section 138 of the Negotiable Instruments Act, 1881. However after completion of the trial, the petitioner was convicted and sentenced to undergo rigorous imprisonment for a period of 01 year vide order dated 27.02.2025. The petitioner filed an appeal before the learned Sessions Court, Sri Muktsar Sahib, in which sentence of the petitioner was suspended and the case was fixed for 22.07.2025 for appearance of the respondent/complainant. However due to non appearance of the petitioner and her counsel, the suspension order passed in favour of the petitioner was revoked and non-bailable warrants of arrest were also issued against the petitioner. The reason given by the petitioner for her absence is that her daughter blessed with a child and thus she had to go there and mother of her counsel representing her before the learned trial Court had expired. However, due to her non appearance, suspension order of the petitioner was revoked and non-bailable warrants of arrest were also issued against the petitioner. As the petitioner is keen to join the proceedings, so keeping in view the abovesaid facts, the present petition is disposed of and the impugned order dated 22.07.2025 is hereby *set aside*. In case, the petitioner appears and surrenders before the Court concerned within a period of 10 days from today and files an application for bail, the Court concerned is directed to admit her to bail subject to its satisfaction and proceed with the trial in accordance with law. The petitioner will have protection from arrest for a period of 10 days from today.

8. Needless to say that in case the petitioner fails to comply with the abovesaid direction, she will have no benefit of abovesaid



protection granted by this Court and order under challenge dated 22.07.2025 would come in force and the present petition would be deemed to have been dismissed.

**29.09.2025**

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Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No

**(RAJESH BHARDWAJ)  
JUDGE**