

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

**CRM-M No.17726 of 2018
Date of Decision : 30.04.2018**

Arvinder Pal Kaur

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM :HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Arjun Attri, Advocate for
Mr. Rakesh Gupta, Advocate
for the petitioner.

SUDIP AHLUWALIA, J. (ORAL)

The petitioner who is woman prays for being released in Complaint Case bearing registration No.2719 dated 28.09.2015 titled as “Darshan Singh vs. Arvinder Pal Kaur” for the offence under Section 138 of the Negotiable Instruments Act, pending in the Court of Ld. Judicial Magistrate, 1st Class, Patiala.

2. Notice of motion.

3. On asking of the Court, Mr. Luvinder Sofat, Asstt. Advocate General, Punjab accepts notice on behalf of respondent No.1-State. A copy of the paper-book be handed over to him during the course of the day.

4. The petitioner was originally on bail in the Ld. Court

below but absented from the proceedings on 26th July, 2017, on account of which non-bailable warrant of arrest was ordered to be issued against her.

5. Her explanation in this regard is that she was misinformed about the date fixed in the Court as being “26.08.2017”, and therefore could not appear or take steps on the date fixed.

6. Considering the grounds made out in the application the petitioner is permitted to surrender before the Ld. Trial Court within a week from today and seek fresh bail.

7. During this period execution of the coercive processes/warrants issued against her shall remain stayed.

8. Further the petitioner shall pay an adjournment cost of Rs.5,000/- to the other side/complainant when the matter come up for hearing in the presence of both sides in the Ld. Court below.

9. This order shall automatically stand vacated after 7th May, 2018.

10. Disposed off.

April 30, 2018

Dpr

**(SUDIP AHLUWALIA)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No