



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

**CRM-M-15346-2026 (O&M)
DECIDED ON: 20.03.2026**

REETA RANI

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present: Ms. Jasmine Garg, Advocate (through hybrid mode)
for the petitioner.

MANDEEP PANNU, J (ORAL)

1. This petition has been filed under Section 528 BNSS, 2023 seeking quashing of the impugned order dated 08.05.2025 (Annexure P-4) passed by learned Chief Judicial Magistrate, Malerkotla in CHI/194/2024 in FIR No.133, dated 27.08.2022 (Annexure P-1), registered under Sections 379B and 34 IPC (Sections 411 and 201 IPC added later on), at Police Station City-2, Malerkotla.

2. Learned counsel for the petitioner submits that during the pendency of the proceedings, the petitioner could not appear before the learned trial Court on certain dates as her son was admitted to a drug re-addiction Centre at Sangrur for medical treatment and rehabilitation and the petitioner had to attend him. It has been further contended that on 08.05.2025, although the petitioner was present within the court premises, she could not be produced before the learned Trial Court by her counsel for reasons best known to the said counsel. However, without affording her an



effective opportunity of being heard, the learned Court proceeded to issue non-bailable warrants against the petitioner.

3. Learned counsel for the petitioner *inter alia* contends that non-appearance of the petitioner was not deliberate or intentional and thus, aggrieved by the said order, he has approached this Court by way of instant petition. It is contended that the impugned order is liable to be quashed on the ground of unintentional non-appearance of the petitioner.

4. It is also submitted that the petitioner undertakes to appear before the trial Court on each and every date.

5. Notice of motion.

6. Ms. Jasmine Gill, AAG, Haryana, who is present in Court, accepts notice for the respondent-State and submits that the impugned order has been passed on the sole ground of the absence of the petitioner, however, it is not disputed by her that petitioner was already on bail and had been appearing before the trial Court.

7. I have heard learned counsel for the parties and perused the record of the case with their able assistance and with the consent of parties, the matter is taken up for final disposal.

8. Whether the default on the part of the accused is intentional or unintentional depends on facts of each case. In the present case, the petitioner did not appear on 17.02.2025 and 08.05.2025 before the learned Trial Court and ultimately on 08.05.2025, non-bailable warrants were issued against her. By filing the present petition, the petitioner has shown her intention to submit before the learned Trial Court.

9. The sole purpose of issuance of bailable/non-bailable warrants is to secure presence of the accused before the trial Court. The petitioner in



the present case has herself come forward and has undertaken to appear before the trial Court on each and every date.

10. Considering the totality of circumstances, this Court is of the view that the petitioner can be directed to appear before the trial Court, so that trial may resume. Accordingly, plea of the petitioner is accepted. Impugned order dated 08.05.2025 is set aside to the extent of issuance of warrants of arrest only, and she is directed to be released on bail, in the eventuality of surrender by her before the trial Court within a period of ten days from today.

11. It is made clear that in case, petitioner fails to appear before the trial Court within a stipulated period, this order shall be deemed to be vacated.

12. With aforementioned terms, present petition stands disposed of.

13. All pending miscellaneous application(s), if any, stands disposed of.

20.03.2026

Poonam Negi

**(MANDEEP PANNU)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No