



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

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**CRM-M-41289-2025
Date of Decision 31.07.2025**

Nizamuddin

.....Petitioner

VERSUS

State of Hayana

...Respondent

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

Present: Mr. Anmol Jindal, Advocate for the petitioner.

H.S. GREWAL, J. (ORAL)

1. This petition has been filed under Section 482 Cr.P.C. (528 BNSS) for quashing of the impugned order dated 06.03.2025 (Annexure P-4), 30.04.2025 (Annexure P-6) and 28.05.2025 (Annexure P-6) passed by learned JMFC, Gurugram, in case FIR No.44 dated 17.01.2016 under Section 323, 285, 346 and 34 of IPC, registered at Police Station Kherki Daula, Gurgaon, Haryana whereby, Non Bailable Warrants were issued against the petitioner before issuance of bailable warrants.

2. Learned counsel for the petitioner submits that non-appearance of the petitioner before the Court below was neither deliberate nor intentional but purely because of medical emergency of petitioner. He further submits that the petitioner had no intention to evade the trial Court proceedings and undertakes to be present in person before the Court below on all future dates of hearing. Moreover, the matter has been compromised between the parties. Hence, the impugned order deserves to be set aside. He further submits that the petitioner is willing to join the proceedings.



3. Notice of motion.
4. Mr. Tapan Masta, Addl. A. G, Haryana, accepts notice on behalf of respondent-State.
5. I have heard learned counsel for the parties and gone through the case file.
6. Keeping in view the facts and circumstances of the case and limited prayer made by the counsel for the petitioner, this Court does not find any legitimate ground to interfere in the impugned orders dated 06.03.2025 (Annexure P-4), 30.04.2025 (Annexure P-6) and 28.05.2025 (Annexure P-6) passed by the learned Judicial Magistrate First Class, Gurugram. However, in case the petitioner surrenders before the trial Court within 7 days from the date of receipt of the copy of this order and moves an application for grant of regular bail, on his doing so, the trial Court shall consider and decide the same within a period of three days.
5. Dismissed.

31.07.2025

anil

(H.S. GREWAL)
JUDGE

Whether speaking/ reasoned:

Yes/No

Whether Reportable:

Yes/No