

CRM-M-3609 of 2025

2025:PHHC:009023



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

CRM-M-3609 of 2025

Date of decision: 22.01.2025

Krishan Hans and others

.....Petitioners

Versus

State of Haryana

.....Respondent

**CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR**

Present: - Mr. Mazlish Khan, Advocate,  
for the petitioners.

Ms. Gaganpreet Kaur, AAG, Haryana.

**NAMIT KUMAR, J. (ORAL)**

1. Petitioners have filed this petition under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for quashing of impugned order dated 13.12.2024 (Annexure P-3), passed by the Court of learned Judicial Magistrate Ist Class, Rewari, in case FIR No.88 dated 14.02.2019 registered under Sections 498-A/406/323/506/34 IPC at Police Station Model Town, District Rewari, whereby while cancelling their bail, the bail bonds were also ordered to be cancelled and forfeited to the State and warrants of arrest have been issued on account of their absence.

2. Learned counsel for the petitioner contends that the petitioners were on bail and they kept on appearing before the trial Court regularly. However, due to death of their relative, petitioners could not appear before the trial Court on 13.12.2024. Learned counsel



submits that the petitioners are the victims of circumstances and their absence was unintentional. He further submits that the petitioners are ready and willing to join the trial proceedings and undertakes to be present in Court on each and every date.

3. Notice of motion.

4. Ms. Gaganpreet Kaur, AAG, Haryana, accepts notice on behalf of the respondent-State and submits that the impugned order has been passed on the sole ground of the absence of the petitioners, however, it is not disputed by her that petitioners were already on bail and had been appearing before the trial Court.

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

6. A perusal of the order dated 13.12.2024 (Annexure P-3) reflects that the trial Court proceeded to pass the extreme order of cancellation of bail for the solitary absence of petitioners. The object of cancellation of bond or declaration of anyone as proclaimed offender/person is to secure his presence. The petitioners have come forward to face the proceedings and undertake to appear before the trial Court on each and every date, thus, their presence would meet ends of justice. Thus, the explanation offered for non-appearance before the trial Court is justified and therefore, the same is accepted.

7. Considering overall facts and circumstances of the case, the impugned order 13.12.2024 (Annexure P-3) is set aside subject to appearance of the petitioners before the trial Court on or before 05.02.2025 and on their doing so, they shall be released on bail and

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allowed to remain on the same bail bonds and surety bonds. In the event of non-compliance of this order, the order dated 13.12.2024 would remain intact.

8. The petition is disposed of in above terms.

22.01.2025

R.S.

**(NAMIT KUMAR)**  
**JUDGE**

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No