

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

2025:PHHC:073547



135

CRM-M-30088-2025

Date of decision: 28.05.2025

Umit Gupta @ Umit Kumar

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM : HON'BLE MRS. JUSTICE SUKHVINDER KAUR

Present: Mr. Sanpreet Sandhu, Advocate for the petitioner.

SUKHVINDER KAUR, J.(ORAL)

Present petition has been filed under Section 528, BNSS, 2023, for quashing of order dated 29.01.2025, passed by learned Additional Sessions Judge, Yamunanagar, vide which bail orders of the petitioner were cancelled and bail bonds were forfeited to state and petitioner was ordered to be summoned through non-bailable warrants of arrest due to his non-appearance on date fixed by learned Judge, Special Court, Sangrur, in case No.SC/130/2018 arising out of FIR No.446 dated 29.11.2017 under Sections 379-B, 120-B, 148, 149, 323, 341, 506 IPC (offence under Section 25 of Arms Act was deleted later on), Police Station Farakpur, District Yamunanagar.

The relevant facts of the present case for adjudication are that the petitioner is facing trial in the afore-said case and had been granted bail by this Court on 03.10.2018. On 29.01.2025, the petitioner became absent

before the trial Court and his non-bailable warrants were ordered to be issued by the trial Court and his bail bonds and surety bonds were cancelled and forfeited to State.

It has been contended by learned counsel for the petitioner that earlier the petitioner was regularly appearing before the trial Court. The absence of the petitioner was not intentional but was due to a bona fide cause as he had noted down the wrong date. Learned counsel has submitted that the petitioner is ready to surrender before the trial Court. Therefore, the impugned order dated 29.01.2025 be set aside.

Heard.

Considering the facts and circumstances of the present case and taking note of the fact that trial of the case is likely to take time and no useful purpose is likely to be served by sending him behind the bars, the impugned order dated 29.01.2025 is set aside. The petitioner is directed to surrender and appear before the trial Court within 10 days and on doing so, he would be released on bail on furnishing his fresh bail/surety bonds to the satisfaction of the Court concerned and with the undertaking to appear regularly before the trial Court on each and every date of hearing, subject to depositing of Rs.8,000/- with DLSA, Yamunanagar.

Disposed of in the aforesaid terms.

28.05.2025
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(SUKHVINDER KAUR)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No