



IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

Sr. No.: 127

Criminal Miscellaneous No.M-28815 of 2025

Date of Decision: May 26, 2025

Bishan Singh

..... PETITIONER(S)

VERSUS

State of Haryana & another

..... RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

PRESENT: - Mr. Parunjeet Singh, Advocate, for the petitioner.

SANDEEP MOUDGIL, J (Oral)

The jurisdiction of this Court has been invoked under Section 528, The Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of the order dated 18.03.2025 (P-10) passed by the Additional Sessions Judge, Gurugram, whereby non-bailable warrants against the petitioner have been issued in Criminal Appeal No.499/2023 dated 05.09.2023, titled 'Sanjeet vs. Bishan Chand' (P-3).

2. Learned counsel for the petitioner submits that petitioner's non-appearance before the Court below is neither intentional, nor deliberate. He having instructions would submit before this Court that the petitioner is ready and willing to join the proceedings of appeal and will surrender before the Court below.

3. Be that as it may, without going further into the technicalities and the legality of the order qua fulfillment of essentials once the petitioner is ready and willing to join the proceedings, as has been undertaken before this Court, this Court deem it appropriate to dispose of the petition at this stage itself.



4. The petitioner shall surrender before the trial Court on 28.05.2025, the date already fixed in trial Court and in case, he moves an application for regular bail on that day or any other subsequent date, same may be considered and decided in accordance with law preferably on that very day itself.

5. This Court is also sanguine of the fact that due to absence may be on account of the reasons, as has been detailed in the petition and submitted before this Court during the course of hearing, the fact remains that the judicial process has been delayed.

6. As a penalty for causing delay in the judicial process, the petitioner is penalized with a compensatory penalty of Rs.10,000/-, which shall be paid to the Punjab & Haryana High Court Employees Welfare Association, Chandigarh, a receipt of which shall be produced before the trial Court at the time of surrender.

7. The amount so deposited by the petitioner shall not be construed as cost for this order but penalty for stalling the court proceedings by evading himself from trial for a long time.

8. The petition stands disposed off in the aforesaid terms.

(SANDEEP MOUDGIL)
Judge

May 26, 2025

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Whether Speaking/ Reasoned:

Yes/ No

Whether Reportable:

Yes/ No