



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

129

**CRM-M-16434-2025
DATE OF DECISION: 26.03.2025**

BHOOPENDER**...PETITIONER****Versus****STATE OF HARYANA****... RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Mukesh Yadav, Advocate for the petitioner(s).

Mr. B.S.Virk, Sr. DAG, Haryana.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 528 BNSS. seeking quashing of Impugned Order dated 17.02.2025 (Annexure P-10) passed by Sessions Judge, Narnaul in FIR No. 175 dated 14.05.2024 U/s 436/34 IPC registered in Police Station Sadar Mahendergarh District Mahendergarh (Annexure P-1) vide which the bail of the petitioner cancelled and bonds are forfeited to the State.

Learned counsel for the petitioner submits the matter was fixed for 17.02.2025 in the Trial Court but the petitioner could not appear since the petitioner moved an application for exemption from his appearance on 09.01.2025 and due to miscommunication, the petitioner had noted down wrong date as 18.02.2025 instead of 17.02.2025 and could not appear before the Trial Court. He further submits that when the petitioner went to Court on 18.02.2025 he came to know that his bail bonds has been cancelled on 17.02.2025 due to his non-appearance. He



further submits that the petitioner did not had any intention to avoid attendance in the Court proceedings otherwise he was appearing regularly on each and every date before the Court. He undertakes that the petitioner will surrender before the trial Court and shall join the trial proceedings without any delay or default in future.

Notice of motion.

On the asking of the Court, learned State Counsel accepts notice on behalf of the respondent-State, who is not averse to the undertaking given by the petitioner that he will surrender before the trial Court.

Considering the submissions made by learned counsel and also in appreciation of the fact that it will only speed up the proceedings before the Trial Court which is one of the essence as enshrined under Article 21 of the Constitution of India, the petitioner is directed to surrender before the trial Court within a period of 10 days from today and apply for regular bail.

In case, such an application for bail is moved by the petitioner before the learned trial Court, the same shall be considered on the same date and decided in accordance with law.

However, it is made clear that in case the petitioner does not abide by the aforesaid undertaking, the respondent/State shall be at liberty to move an appropriate application for revival of the instant petition.

The aforesaid order/concession to the petitioner shall be subject to payment of costs of Rs.10,000/- to be deposited with the Punjab and Haryana High Court Employees' Welfare Association and a



receipt of the same be produced before the Trial Court and only in that eventuality, application of the petitioner for seeking bail be considered and decided on the same day in accordance with law.

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.

The instant petition is disposed of in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

26.03.2025
anuradha

Whether speaking/reasoned *Yes/No*
Whether reportable *Yes/No*