



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

**CRM-M No.35283 of 2025
Date of Decision: 10.07.2025**

Rahul

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Anil Rathee, Advocate
for the petitioner.

Mr. Sumit Jain, Addl. A.G., Haryana.

RAJESH BHARDWAJ, J. (ORAL)

1. Prayer in the present petition is for quashing of order dated 27.06.2025 (Annexure P-4) passed by the learned Additional Sessions Judge (Vacation), Gurugram vide which against the settled principles of law, revision petition filed by the State of Haryana was accepted and order dated 18.06.2025 passed by the learned Judicial Magistrate Ist Class, Gurugram in criminal case 'State of Haryana vs. Rahul and another' was set aside and order dated 01.07.2025 (Annexure P-6) passed by the learned Additional Sessions Judge, Gurugram vide which non bailable warrants of the petitioner were issued after dismissing the application for exemption from presence.

2. Precise submission made by counsel for the petitioner is that the learned Judicial Magistrate Ist Class, Gurugram has rightly declined the grant of remand of the petitioner vide order dated 18.06.2025, however, in the revision petition, learned Revisional Court has illegally



declined the same and thus, has illegally remanded the case to learned Magistrate. After arguing, he submits that apprehension of the petitioner is to the effect that he would be arrested after the order passed by learned Revisional Court.

3. The Court finds the apprehension projected by learned counsel for the petitioner genuine.

4. Learned counsel for the petitioner prays for withdrawal of the present petition with liberty to the petitioner to pursue his remedy before the learned Magistrate, where the learned Revisional Court has remanded the case for passing the order afresh.

5. Allowed to do so.

6. Dismissed as withdrawn with liberty as prayed for. However, no coercive action shall be taken against the petitioner till fresh decision is taken by learned Magistrate concerned on the application filed. Learned Magistrate concerned would decide the case within a period of one week from the date of receipt of certified copy of this order.

(RAJESH BHARDWAJ)
JUDGE

10.07.2025

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Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No