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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-33540-2025  
DECIDED ON: 01.07.2025

VISHAL SATINDER SOOD

....PETITIONER

VERSUS

STATE OF HARYANA AND ANOTHER

....RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Hemant Bassi, Advocate,  
Mr. Arun Gupta, Advocate and  
Mr. Tejasvi Mahajan, Advocate  
for the petitioner.

**SANDEEP MOUDGIL, J (ORAL)**

The jurisdiction of this Court has been invoked under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 praying for quashing of the order dated 04.06.2025 (Annexure P-1) passed by the Court below vide which the application filed by the petitioner seeking cancellation of non-bailable warrants, is dismissed and fresh non-bailable warrants have been issued against him.

Learned counsel for the petitioner respectfully submits that the Learned Judicial Magistrate erred in issuing non-bailable warrants against the petitioner without first attempting to issue bailable warrants, despite the presence of the petitioner's counsel in court. Further, the Learned Trial Court improperly denied the petitioner's request to appear via video conferencing, which is contrary to the principles laid down in *Sarvesh Mathur v. Registrar General*.

It is submitted that the Trial Court's actions are disproportionate and constitute a violation of the petitioner's fundamental right to personal liberty

guaranteed under Article 21 of the Constitution. The petitioner has not willfully evaded the proceedings, having appeared through his counsel on multiple occasions and consistently expressed his willingness to cooperate with the court.

Moreover, the petitioner was not served with summons in accordance with law. Upon gaining knowledge of the proceedings, the petitioner took prompt and bona fide steps to participate, demonstrating his good faith and respect for the judicial process.

Learned counsel for the petitioner though at the outset without contesting the order dated 04.06.2025 (Annexure P-1) on merits undertakes to join the trial proceedings within one week.

Notice of motion to official respondent only at this stage.

Mr. Chetan Sharma, DAG Haryana, accepts notice on behalf of respondent/State and not averse to the undertaking given on behalf of the petitioner.

Without addressing the merits of the case or the legality of the order, as the same has not been contested by the learned counsel for the petitioner, who has voluntarily agreed to join the proceedings before the trial court and to pay a penalty of Rs. 25,000/- to be deposited with the Punjab & Haryana High Court Bar Association for causing unwarranted delay in the trial proceedings, the order dated 04.06.2025 (Annexure P-1) is hereby set aside.

However, the aforesaid order would be subject to fulfillment of undertaking given before this Court on behalf of the petitioner that he will surrender within one week. In case, if any application seeking regular bail is moved by the petitioner, the same be considered by the Court below preferably on that very 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 petition stands disposed off in the aforesaid terms.

**(SANDEEP MOUDGIL)**  
**JUDGE**

**01.07.2025**

*Sham*

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