



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

128

CRM-M-40382-2025

Date of decision : 29.07.2025

Manish Kumar Jha and others

....Petitioners

V/S

State of Haryana

....Respondent

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Akhil Krishan Maggu, Advocate (through V.C.) and
Mr. Deepak Gupta and Mr. Harshabh Soni,
Advocates (present in the Court) for the petitioners.

NAMIT KUMAR, J. (ORAL)

1. The petitioners have filed the instant petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing the impugned order dated 23.05.2025 (Annexure P-6) passed by learned Judicial Magistrate First Class, Faridabad, whereby the bail and surety bonds of the petitioners have been cancelled and non-bailable warrants have been issued against them in case FIR No.121 dated 23.07.2023 registered under Section 498-A, 406, 323, 506 & 34 of Indian Penal Code, 1860 at Women Police Station NIT, Faridabad.

2. Learned counsel for the petitioners contends that earlier the petitioners were regularly appearing before the Trial Court. However, due to bona fide impression that their appearance was to be made through virtual mode in terms of the directions issued by the Hon'ble Supreme Court, vide order dated 13.11.2024 passed in T.P. (Criminal) Nos.661/2024 and 656/2024 titled as 'Manish Kumar Jha Vs. State of



CRM-M-40382-2025

2

Haryana and another’ and ‘Manish Kumar Arun Jha Vs. Pallavi’ respectively, they could not appear before the Trial Court on 23.05.2025. He submits that the petitioners are the victim of circumstances and their absence was unintentional. He further submits that the petitioners are ready and willing to join the trial proceedings and undertakes to be present before the Trial Court on each and every date.

3. Notice of motion.

4. Ms. Mahima Yashpal Singla, Senior D.A.G., Haryana accepts notice on behalf of the respondent-State and submits that the impugned order has been passed on the sole ground of the absence of the petitioners.

5. I have heard learned counsel for the parties and perused the record.

6. A perusal of the order dated 23.05.2025 (Annexure P-6) reflects that the Trial Court proceeded to pass the extreme order of cancellation of bail for the solitary absence of petitioners. The object of cancellation of bonds or declaration of anyone as proclaimed offender/person is to secure his presence. The petitioners have come forward to face the proceedings and undertakes to appear before the Trial Court on each and every date, thus, their presence would meet ends of justice. The explanation offered for non-appearance before the Trial Court is justified and therefore, the same is accepted.

7. Considering overall facts and circumstances of the case, the impugned order dated 23.05.2025 (Annexure P-6) is set aside subject to

**CRM-M-40382-2025****3**

appearance of the petitioners before the Trial Court on 15.09.2025 the date fixed before it and on their doing so, they shall be released on bail and allowed to remain on the same bail bonds and surety bonds. In the event of non-compliance of this order, the order dated 23.05.2025 would remain intact.

8. The petition is disposed of in the above terms.

29.07.2025*kothiyal***(NAMIT KUMAR)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No