



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

CRM-M-39353-2025

Date of Decision:24.07.2025

Naresh Kumar

...Petitioner

Vs.

Sukhpal Garg

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Prince Goyal, Advocate
for the petitioner.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 528 of B.N.S.S with a prayer to quash the impugned order dated 26.05.2025 (Annexure P-6) passed by the Court of Judicial Magistrate Ist Class, Bathinda, whereby the bail of the petitioner was cancelled and the bail bonds and surety bonds were ordered to be forfeited to the State and the petitioner was ordered to be summoned through non-bailable warrants of arrest.

2. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He next contends that he was ordered to be released on bail on 03.07.2024. He further contends that the petitioner was regularly appearing before the Trial Court, however, he could not appear before the Trial Court on 02.05.2025 and 26.05.2025, as he was admitted in a hospital for a surgery. The Discharge Summary dated 12.03.2025 (Annexure P-4) has also been annexed in this regard. He further contends that the act of non-appearance on the part of the present petitioner was unintentional

and he is ready to surrender before the Court and shall join the trial proceedings. He further contends that the petitioner shall appear on each and every date of hearing, before the Trial Court and shall not absent himself during the Court proceedings.

3. I have heard the learned counsel for the petitioner and perused the record carefully.

4. From a perusal of the record, it is apparent that the Trial Court has rightly cancelled the bail in the present case and there is no illegality in the impugned order passed by the Trial Court. However, due to his surgery, the petitioner could not appear before the Trial Court on 02.05.2025 and 26.05.2025. Thus, taking a lenient view of the matter, the petitioner is permitted to surrender before the Trial Court/Duty Magistrate within a period of two weeks from today and on his surrender, he shall be admitted to bail subject to furnishing bail bonds and surety to the satisfaction of the concerned Court.

5. At the time of furnishing of bail bonds, the petitioner shall also file an affidavit before the concerned Court that he shall continue to appear before the Court on each and every date of hearing and shall not absent himself during the Court proceedings, except with prior permission of the Court.

6. The Trial Court/Duty Magistrate shall also be at liberty to impose any other conditions, as it deems fit in the peculiar facts and circumstances of case.

7. The petition stands allowed in the above terms.

(N.S.SHEKHAWAT)

JUDGE

24.07.2025

hitesh

Whether speaking/reasoned

Whether reportable

: Yes/No

: Yes/No