



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

CRM-M-50940-2024

Date of decision: 15.10.2024

Neeraj Mital

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Aditya Sanghi, Advocate for the petitioner.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioner under Section 528 of BNSS 2023 seeking quashing of order dated 30.04.2024 Annexure P-1 passed by the Court of Additional Chief Judicial Magistrate, Hisar whereby the bail of the petitioner was cancelled along with that of his father Ramdev Mittal and both of them were directed to be summoned through non bailable warrants of arrest in criminal case having FIR No. 148 dated 13.06.2017, under Sections 406, 420, 467, 468, 506, 120-B IPC, Police Station Uklana, District Hisar.

2. Counsel for the petitioner *inter alia* submits that during investigation of the case, the petitioner was granted regular bail by the Court concerned vide order dated 29.07.2020 Annexure P-4 and thereafter, the petitioner was regularly appearing before the trial Court without any fail. That however, due to some unavoidable circumstances, petitioner and his father failed to appear before the trial Court and moved an application seeking exemption from their personal appearance but the said application was declined by the trial Court in a casual manner and the trial Court further proceeded to pass impugned order Annexure P-1, without taking into consideration the fact that it was single default on the part of the petitioner. It is further submitted that petitioner is ready and willing to join the



proceedings before the trial Court at the earliest. Counsel for the petitioner apprised the Court that while passing the impugned order Annexure P-1, the learned trial Court referred to some order dated 15.04.2024 passed by this Court in CRM-M-16287-2024. Counsel for the petitioner while referring to Annexure P-9 submits that the said order was relating to the bail application filed by his father Ramdev Mittal only.

3. Notice of motion.

4. Mr. P.K. Aggarwal, DAG, Haryana, accepts notice on behalf of the State and submits that no doubt, petitioner was granted regular bail vide order Annexure P-4 but thereafter, the petitioner got absent on 30.04.2024 and resultantly, impugned order Annexure P-1 was passed by the trial Court in accordance with law.

5. In light of the above, without expressing any opinion on the merits of the case and in order to avoid any further delay in trial, the petitioner is hereby directed to join proceedings before the trial Court within next 10 days and on his doing so, the petitioner is to be released on regular bail by the Court concerned to its own satisfaction, subject to cost of Rs.10,000/- to be deposited by the petitioner with the District Legal Services Authority concerned.

6. Disposed of in aforesaid terms.

15.10.2024

Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-

Whether reportable:-

Yes/No

Yes/No