



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

CRM-M-58134-2024

Date of Decision : **22.11.2024**

JYOTI PANWAR AND ANOTHER

.....Petitioners

VERSUS

STATE OF HARYANA

....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Tanmoy Gupta, Advocate,
for the petitioners.

Mr. Rajesh Gaur, Addl.A.G., Haryana

KULDEEP TIWARI. J.(Oral)

1. Through the instant petition, prayer is made for quashing of impugned order dated 12.09.2024 (Annexure P-3), whereby, the bail granted to the petitioners has been cancelled, and their bail bonds/surety bonds have been forfeited to the State, and also their non-bailable warrants have been issued, in case FIR No.410, dated 27.08.2018, under Section 120-B, 406, 420 and 506 of the IPC, registered at Police Station Hodal, District Palwal (Annexure P-5).

2. In asking for the relief (*supra*), learned counsel for the petitioner submits that the petitioners were earlier granted the relief of anticipatory bail by the learned Additional Sessions Judge, Palwal vide orders dated 26.11.2018 and 21.12.2018 (Annexures P-1 and P-2 respectively), and since then the petitioners were regularly appearing

before the learned trial Court concerned, whereas, owing to their non-appearance on dated 12.09.2024, the learned trial Court concerned, proceeded to cancel their bail bonds, and non-bailable warrants were issued against the present petitioners to secure their presence.

3. He further submits that petitioners have no intentions to challenge the legality of the order (*supra*), passed by this Court, however, the petitioners are ready and willing to face the trial, and are ready to surrender before the learned trial Court concerned, in case adequate protection is granted to them.

4. *Per contra*, learned State counsel opposes the grant of relief (*supra*), to the present petitioners.

5. This Court has considered the rival submissions made by the learned counsel for both the parties concerned, and has gone through the entire case file.

6. Since an innocuous and a *bona fide* prayer has been made by learned counsel for the petitioners, therefore, without going into the legality of the impugned order, this Court directs the petitioners to surrender before the learned trial Court concerned within 15 days from today.

7. In case the petitioners surrenders before the learned trial Court concerned, within a stipulated time and furnish their respective fresh bail and surety bonds, the same shall be accepted by the learned trial Court concerned, however, subject to its satisfaction, and the petitioners shall be released on bail.

8. In the meanwhile, the arrest of the petitioners shall remain stayed.

9. However, in case, the petitioners fail to appear before the learned trial Court concerned within 15 days from today and furnish their respective bail and surety bonds, the protection granted hereinabove, *qua* their arrest shall *ipso facto* vacated, without any further reference to this Court.

10. However, this order shall not be construed to be as a legal impediment for the learned trial court concerned, to initiate proceedings under the provisions of Section 491 BNSS, 2023 (old Section 446 Cr.P.C.).

11. **Disposed of** accordingly.

November 22, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No