



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

**CRM-M-1037-2025
DECIDED ON: 13.01.2025**

SURES @ SURESH KUMAR

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Wazir Singh, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court has been invoked under Section 528 of B.N.S.S, 2023, seeking quashing of the impugned order dated 23.12.2024 (Annexure P-5) passed by Sessions Judge, Panipat, whereby the bail granted to the petitioner has been cancelled and bail bonds have been forfeited to the state in case FIR No.420 dated 10.10.2022, Under Section 308, 323, 34, 452, 506 IPC registered at Police Station Matlauda, District Panipat (Annexure P-1).

2. Learned counsel for the petitioner submits that the petitioner could not appear before the trial Court on 23.12.2024 as he was out of station due to family urgency and on that account, also requested to move necessary application for exemption from personal appearance on 23.12.2024. Due to communication gap, necessary application could not be moved as the counsel for the petitioner was held up in some other Court at that time.

3. It is only on that one occasion i.e. 23.12.2024, the petitioner defaulted in appearing before the trial Court who otherwise is regularly attending the Court without any default on his part. Resultantly, impugned order dated 23.12.2024 came to be passed whereby the bail of the petitioner stands cancelled and bail bonds were forfeited to the State. Now, the presence of the petitioner has been sought through warrants of arrest for 28.01.2025.

4. Considering the aforesaid assertions and finding the reasons to be *bona fide*, it would be appetite to allow the petitioner to participate in the proceedings before the trial Court subject to his surrender in this case. This would facilitate the progression of the case and minimize the delay.

5. The petitioner is directed to surrender before the trial Court within a period of one week from today and apply for regular bail.

6. In case, such an application for bail is moved by the petitioner before the learned trial Court, the same shall be considered on the same date and decided in accordance with law.

7. However, it is made clear that in case the petitioner does not abide by the aforesaid undertaking, the respondent/State shall be at liberty to move an appropriate application for revival of the instant petition.

8. However, learned counsel for the petitioner volunteers to deposit a costs of Rs.10,000/- with the Chandi Kusht Ashram Society, Kotak Mahindra Bank, Sector 46-C, A/C No.1445265900, IFSC Code: KKBK0004211, which shall not be construed as a cost for the aforesaid concession but has opined to compensate the delay which has been caused in judicial process by the petitioner amounted to wastage of precious time of the Court. A receipt of the same be produced before the trial Court and only in that eventuality, application of the petitioner for seeking bail be considered and decided on the same day.

The instant petition is disposed of in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

13.01.2025

Poonam Negi

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No