

2025.PHHC.065828



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

Sr. No.235

**CRM-M-1078-2025 (O&M)
Date of decision : 16.05.2025**

Narender Singh @ Narinder Singh @ Kala

..... Petitioner

VERSUS

State of Haryana and another

..... Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

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

Mr. Brijesh Sharma, AAG, Haryana.

KIRTI SINGH, J. (Oral)

The present petition has been filed under Section 482 of Cr.P.C. for quashing the impugned order dated 20.05.2024 (Annexure P4) passed by the learned JMIC, Ambala, whereby the petitioner was declared as a proclaimed person in FIR No.107 dated 18.10.2020, under Sections 323, 406, 498-A & 506 IPC, registered at Police Station Ambala District Ambala bearing case No.CHI/1644/2020 and all consequential proceedings arising out of the same.

2. Learned counsel for the petitioner submits that the petitioner was granted bail in FIR No.107 dated 18.10.2020 (supra) by the learned trial Court and he was regularly appearing before the trial Court. He submits that however, due to some mis-communication with his trial Court's Advocate the petitioner could not appear before it on one day i.e. 04.03.2023 and thus, bail granted to him was cancelled by the learned trial Court and the bail bonds/surety bonds were also cancelled. He submits that the petitioner is

2025.PHHC.065828



ready to appear before the trial Court and abide by all the terms and conditions imposed upon him by the learned trial Court.

3. *Per contra*, learned State counsel has opposed the petition and submits that the learned trial Court has rightly passed the impugned order cancelling the bail and surety bonds of the petitioner.

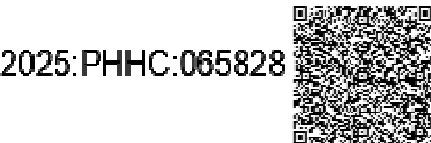
4. Heard.

5. The objective of the coercive mechanism prescribed under the Code of Criminal Procedure is to ensure that the accused remains present before the Court to receive the orders and punishments as are passed qua the accused. If the accused shows his sincere intention and desire to appear before the Court, then it would not be unjustified to protect him from being arrested.

6. On hearing learned counsel for the parties and perusing the record, it is apparent that the petitioner was granted bail by the learned trial Court, however, he could not appear before it on one date i.e. 04.03.2023 and on account of the same, his bail bonds/surety bonds were cancelled. The petitioner is ready to appear before the trial Court and face the trial.

7. This Court finds that no useful purpose will be served by sending the petitioner in custody when he was continuously appearing before the learned trial Court but could not appear on one date.

8. In view of the above, the present petition is allowed and order dated 20.05.2024 (Annexure P4) passed by the learned JMIC, Ambala is hereby set aside **subject to payment of cost of Rs.20,000/- by the petitioner to be deposited with the Poor Patient Welfare Fund, PGIMER Chandigarh** within a period of 10 days from today. The



petitioner after depositing the cost as stated above would appear before the learned trial Court concerned within a period of two weeks and file appropriate application along with receipt of payment of cost. The learned trial Court concerned would release the petitioner on bail on furnishing his bail/surety bonds to its satisfaction. No coercive action would be taken against the petitioner till then. In case, the petitioner failed to appear before the learned trial Court or failed to deposit the cost as stated above, this order would be of no avail to the petitioner.

Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

16.05.2025
Ramandeep Singh

Whether speaking / reasoned	Yes/No
Whether Reportable	Yes/No