



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

CRM-M-4577-2025

DATE OF DECISION: 28.01.2025

VISHAL

...PETITIONER

Versus

STATE OF HARYANA AND ANOTHER

... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Mohan Singh Rana, Advocate
for the petitioner.

Mr. B.S Virk, Senior DAG, Haryana.

SANDEEP MOUDGIL, J (ORAL)

A prayer for quashing of the complaint bearing NACT No.356 of 2019 dated 21.05.2019 titled as “Santosh Kumar Verma Vs. Vishal” (P-1) and impugned order dated 21.05.2019 (P-2), whereby the petitioner has been summoned to face trial and impugned order dated 28.10.2024 (Annexure P-6) passed by Ld. CJM, Palwal, whereby bail of the petitioner has been canceled and his bail/surety bonds are forfeited to the state and NBW has been issued against petitioner for 27.01.2025, because the petitioner has already made the payment of 20% of the total amount and is also ready and willing to make the remaining payment.

Learned counsel for the petitioner confined the prayer petition in reason to assail the order dated 28.10.2024, passed by Ld. CJM, Palwal whereby bail of the petitioner has been cancelled and his

bail/surety bonds are forfeited to the State and NBW has been issued against petitioner for 27.01.2025.

He would assert that his absence before the trial Court was on account of the reasons which were beyond his control and no bona fide error having been miscommunication with the counsel presenting him before the trial Court.

He submits that the petitioner did not had any intention to avoid attendance in the Court proceedings otherwise he was appearing regularly on each and every date before the Court. He undertakes that the petitioner will surrender before the trial Court and shall join the trial proceedings without any delay or default in future.

Notice of motion.

On the asking of the Court, learned State Counsel accepts notice on behalf of the respondent-State, who is not averse to the undertaking given by the petitioner that he will surrender before the trial Court.

Considering the submissions made by learned counsel and also in appreciation of the fact that it will only speed up the proceedings before the Trial Court which is one of the essence as enshrined under Article 21 of the Constitution of India, the petitioner is directed to surrender before the trial Court within a period of two weeks.

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.

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.

The aforesaid order/concession to the petitioner shall be subject to payment of costs of Rs.10,000/- to be deposited with the Chandi Kusht Asshram Society, (account No.1445265900) (IFSC Code KKBK0004211), Kotak Mahindra Bank, Sector 46-C Chandigarh and 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 in accordance with law.

The instant petition is disposed of in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

28.01.2025
poonam

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>