



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

CRM-M-6371-2025

Date of Decision:04.02.2025

Jitender @ Monu

...Petitioner

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present: Mr. Himanshu Joshi Advocate
for the petitioner.

Mr. Rajinder Kumar Banku, Deputy Advocate General, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 528 of B.N.S.S with a prayer to quash the impugned order dated 21.12.2024 (Annexure P-5), passed by the Court of Additional Sessions Judge, Narnaul, whereby the bail of the petitioner was cancelled and the bail bonds and surety bonds were forfeited to the State in a case arising out of FIR No.732, dated 18.11.2021, under Sections 148,323,341,379-B, 427,506 read with Section 149 of IPC, registered at Police Station City Narnaul, District Mahendargarh.

2. Learned counsel for the petitioner submits that the petitioner had not committed any offence and has been falsely involved in the present case. He further contends that vide order dated 09.01.2024 (Annexure P-2), the petitioner was granted the concession of bail by the Court of Sessions Judge, Narnaul. Thereafter, the petitioner was regularly appearing before the Trial Court on each and every date of hearing. However, due to some personal difficulty, he

could not appear before the Trial Court on 26.11.2024 and had moved an application for exemption from personal appearance. He further contends that again on 10.12.2024, the petitioner could not appear before the Trial Court and due to some communication gap between the petitioner and his counsel, he could not inform by his counsel. Consequently, the Trial Court had cancelled the bail of the petitioner and was ordered to be served through warrants of arrest.

3. On advance notice, Mr. Rajinder Kumar Banku, Deputy Advocate General, Haryana has appeared on behalf of State of Haryana and submits that the present petitioner is a habitual offender and is involved in seven more criminal cases. He further contends that in the year 2023, the petitioner was declared as a proclaimed offender and one FIR No.681/2023 under Section 174-A, Police Station City Narnaul was registered against him. He further contends that from a perusal of the zimni orders annexed with the petition, it is apparent that the accused are intentionally trying to delay the proceedings before the Trial Court.

4. I have heard the learned counsel for the parties and perused the record carefully.

5. After perusing the record of the present case, I agree with the contentions raised by learned State counsel that a concerted and co-ordinated effort has been made by the accused to delay the trial. It is apparent from the order dated 10.10.2024, that the accused Rinku could not appear before the Trial Court. Even jail authorities did not produce Mohit @ Langdi and Abhishek @ Kali before the Court through V.C. On the next date i.e. 05.11.2024, accused Rinku did not appear before the Trial Court. Even the jail authorities did not produce Mohit @ Langdi and Abhishek @ Kali through V.C.

Again on 26.11.2024, Jitender @ Monu did not appear before the Court. Similarly, Rinku was absent. Still further, again on 21.12.2024, Rinku, Surender @ Ashu and Jitender @ Ashu failed to appear before the Trial Court. Thus, it is apparent that on different dates, the accused were not appearing before the Trial Court, just to delay the trial in the present case and the impugned order passed by the Trial Court is perfectly justified and is liable to upheld by this Court. It is also apparent from the record that, in the present case, the jail authorities are also negligent in producing the accused before the Trial Court.

6. Consequently, the Trial Court is directed to take a strict view of the matter, in case the jail authorities did not produce any of the accused before the Trial Court. The Trial Court would be at liberty to initiate appropriate legal action against the Superintendent of the jail also.

7. Still further, the Trial Court will also expedite the trial in the present case, keeping in view the criminal background of all the accused in the present case.

8. The petition stands disposed of.

04.02.2025
hitesh

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No