



342-CRM-M-9881-2025

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

CRM-M-9881-2025
Date of decision: 04.03.2025

Amrish Sharma

....Petitioner.

Versus

State of Haryana

...Respondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Siddarth, Advocate,
for the petitioner.

Mr. Praveen Bhadu AAG, Haryana.

.....

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 528 of the
Bhartiya Nagarik Suraksha Sanhita 2023 (BNSS), the petitioner seeks
quashing of the order dated 07.01.2025 (Annexure P-2) passed by
learned Chief Judicial Magistrate, Jagadhri, and further the order dated
27.01.2025 (Annexure P-3), passed by learned Judicial Magistrate Ist
Class, Yamunanagar, in case No. CIS No. CHI/1416/2018, titled as
'*State vs. Gurvinder Singh etc*' in case FIR (Annexure P-1) as
mentioned below: -

FIR No.	Dated	Sections	Police Station
650	04.11.2017	148, 149, 323, 325, 427, 506 IPC	City Yamuna Nagar, District Yamuna Nagar



342-CRM-M-9881-2025

2. Learned counsel for the petitioner submits that in compliance to the order dated 21.02.2025, the petitioner has joined the investigation and has already appeared before the learned Trial Court. Besides, he has also deposited the cost of Rs. 5,000/-, so imposed, vide the aforesaid order dated 21.02.2025. In support of his contention, learned counsel for the petitioner has also furnished the copy of the order dated 24.02.2025, passed by learned Chief Judicial Magistrate, Jagadhri, which is taken on record and marked as Annexure 'A'.

3. During the course of hearing on 21.02.2025, following order had been passed: -

2. *Heard.*

3. *It is, inter alia, contended by learned counsel for the petitioner that the petitioner after having been granted bail, in the case as mentioned above, had been regularly appearing before the learned Trial Court but on 07.01.2025 he could not appear in the concerned Court due to mis-communication of the date by his counsel, leading to cancellation of bail and issuance of non bailable warrants of arrest. He contends that now the matter is pending for 24.02.2025 for the presence of the petitioner through non bailable warrants of arrest. He contends that the absence of the petitioner was not intentional and he is ready to appear before the learned Trial Court and face the trial.*

4. *Notice of motion, returnable for 04.03.2025.*

5. *On the asking of the Court, Mr. Arun Kumar Gujjar, AAG, Haryana, who is present in Court, accepts notice and does not dispute the factual matrix of the case.*



342-CRM-M-9881-2025

6. *Keeping in view the above facts and circumstances, the petitioner is directed to appear before the learned Trial Court/Judge on duty/Duty Magistrate on or before 24.02.2025 and in that event, learned Trial Court/Judge on duty/Duty Magistrate will admit the petitioner on interim bail subject to its satisfaction on his furnishing requisite bail/surety bonds, however, subject to deposit of a cost of Rs. 5,000/- in the District Legal Services Authority, Yamuna Nagar, before furnishing bail/surety bonds.*

7. *The petitioner shall also furnish a specific undertaking before the learned Trial Court/Judge on duty that, in future, he would be regularly appearing before the concerned Court on each and every date and in case of some exigency, he will seek prior permission of the concerned Court qua his exemption to appear on the date fixed.'*

4. Learned State counsel on instructions from the Investigating Officer, has not disputed the aforesaid fact.

5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 21.02.2025 passed by this Court, interim bail granted vide order dated 21.02.2025 is hereby confirmed. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer/Trial Court upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.



342-CRM-M-9881-2025

6. With these observations, impugned order dated 07.01.2025 passed by learned Chief Judicial Magistrate, Jagadhri and further the order dated 27.01.2025, (Annexure P-3), passed by learned Judicial Magistrate Ist Class, Yamunanagar, are hereby set aside and the instant petition stands allowed.

7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(SANJIV BERRY)
JUDGE

04.03.2025
preeti

- | | | |
|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |