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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-16968-2025 (O&M)

Date of Decision:- 27.03.2025

**Dinesh Lohia and another**

...Petitioners

Versus

**State of Haryana**

...Respondent

**CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI**

Present:- Mr. Parminder Singh Goindi, Advocate (through V.C.) and  
Mr. Naveen Sharma, Advocate  
for the petitioners.

Ms. Ambika Sood, Addl. A.G. Haryana.

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**AMARJOT BHATTI, J.(Oral)**

1. Petitioners – Dinesh Lohia and Jitin Lohia have filed petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for setting aside order dated 04.03.2025 (Annexure P-1) passed by learned Additional Sessions Judge, Gurugram (Special designated POCSO Court), Haryana in case FIR No. 40 dated 31.01.2023 (Annexure P-2) registered at Police Station Sector 65, Gurugram, Haryana under Section 323, 354A, 406, 498A, 506, 509 read with Section 34 of IPC vide which their bail bonds and surety bonds were cancelled and forfeited to State and their arrest warrants are issued for 29.09.2024.

2. Learned counsel for petitioners pointed out that on account of personal difficulty of both petitioners who are brothers, application was filed seeking exemption from personal appearance (Annexure P-3). One of the petitioner Dinesh Lohia had psychiatric issue. His medical slip is



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Annexure P-4. Whereas, other petitioner could not get leave, as a result, both of them could not appear before the trial Court on the date fixed. It is pointed out that prior to this, both petitioners never absented. They are ready to face trial.

3. On advance notice, Ms. Ambika Sood, Addl. A.G. Haryana appears on behalf of respondent-State. All relevant documents are already placed on record.

4. Perusal of impugned order dated 04.03.2025 indicates that there is typographical mistake in next date fixed before trial Court (Annexure P-1), but one thing is clear that trial is still at initial stage. Therefore, taking a lenient view, present petition filed by petitioners is allowed and impugned order dated 04.03.2025 (Annexure P-1) is accordingly set aside by giving direction to both petitioners to appear before the trial Court/Duty Judge within three weeks from today and on their appearance, they be released on bail to the satisfaction of trial Court/Duty Judge concerned. In case of non-compliance of this order, trial Court may proceed as per law.

5. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

27.03.2025

*lalit*

**(AMARJOT BHATTI)**  
**JUDGE**

Whether speaking/reasoned:  
Whether reportable:

Yes/No  
Yes/No