



CRM-M-17845 of 2025

-1-

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

152

CRM-M-17845 of 2025
Date of Decision: 01.04.2025

Achutanand Dubey

...Petitioner

Versus

Pardeep Kumar Vij and another

...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Sahil Chowdhary, Advocate
for the petitioner.

Mr. Apoorv Garg, Sr. DAG, Haryana.

Manisha Batra, J.(Oral)

1. Prayer in the present petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short "BNSS") is for quashing of the order dated 10.12.2024 (Annexure P-6) passed by the Court of learned Additional Sessions Judge, Faridabad in Appeal No.49 of 2024 titled as 'Achutanand Dubey Vs. Pardeep Kumar Vij', whereby, the bail of the petitioner was cancelled and his bonds were ordered to be forfeited to the State due to his non-appearance.

2. It is *inter alia* submitted by learned counsel for the petitioner that on 10.12.2024, an application seeking exemption from personal appearance had been filed by the petitioner as due to some unavoidable circumstances, he could not appear before the learned Appellate Court. However, while rejecting the same, learned Appellate Court had passed the

**CRM-M-17845 of 2025****-2-**

impugned order that he is not ready and willing to join the proceedings of the Appellate Court. It is submitted that the petitioner is willing to join the proceedings before the learned Appellate Court and his absence was not intentional but due to the reasons mentioned above, therefore, it is urged that the impugned order be set aside.

3. A perusal of the order dated 10.12.2024 reveals that the bail of the petitioner was cancelled due to his non-appearance on that date. However, on the same date, an application seeking exemption had been moved by the petitioner, which was rejected by the learned Appellate Court. Although, no illegality or infirmity is found in the impugned order, however, in view of the fact that the petitioner is willing to join the proceedings before the learned Appellate Court and to abide by the terms and conditions imposed upon him and since it appears that it was not on account of any carelessness that he could not appear before the learned Appellate Court on 10.12.2024, therefore, the present petition is disposed of with a direction to the petitioner to surrender before the learned Appellate Court within a period of 15 days from today on his furnishing fresh bail bonds/surety bonds to the satisfaction of the learned trial Court subject to payment of costs of Rs.5,000/- to be paid to respondent No.1/complainant.

4. A copy of this order be handed over to learned counsel for the petitioner under the signatures of Bench Secretary of this Court.

01.04.2025*D.Bansal***(MANISHA BATRA)
JUDGE**

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