



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

CRM-M-19821-2025

Date of decision: 07.05.2025

SUMIT KUMAR BINDAL & ANR.

....PETITIONERS

Versus

STATE OF HARYANA AND ANOTHER

....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Shreenath A. Khemka, Advocate for the petitioners.

Mr. Vipul Sherwal, AAG, Haryana.

SANJIV BERRY, J. (ORAL)

The instant petition under Section 482 of BNSS, 2023, has been filed for quashing of the impugned order dated 04.03.2025 (Annexure P-3) passed by the learned Additional Sessions Judge, Hisar, in case bearing No. CRA-169-2023 titled “Shri Shyami Agrico Exports Private Limited Versus Chhotu Ram Sumer Singh etc.” (arising from complaint dated 28.04.2016 in NACT No.216 of 2016 before learned Judicial Magistrate Ist Class, Hansi), wherein the bail bonds and surety bonds of the petitioners have been cancelled and warrants of arrest have been issued against the petitioners.

2. It is, *inter alia*, contended by learned counsel for the petitioners that in compliance to the order passed by this Court on 22.04.2025, the petitioners have appeared before the learned trial Court and furnished the requisite bail bonds.

3. As per report of trial Court, the petitioners have appeared before the learned trial Court and furnished the requisite bail bonds.

4. This aspect is not disputed by learned State counsel.

5. During the course of hearing on 22.04.2025 following order



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was passed:

“2. It is inter alia contended by learned counsel for the petitioners that the petitioners being father and son were having 03 different appeals pending before the learned Additional Sessions Judge, Hisar. He submits that vide CRM-M-48413-2024 and CRM-M-8912-2024 the proceedings in the connected appeals stood stayed by this Court. He contends that the petitioner No.1 Sumit Kumar Bindal had appeared in the connected appeal on the same day as per order 04.03.2025 (Annexure P-5) wherein the Court had issued notice for appearance of the petitioner No.2 Surinder Kumar Bindal.

3. Learned counsel for the petitioners further contends that inadvertently the presence of the petitioner No.1 was not mentioned in the present case and the learned Trial Court passed the impugned order Annexure P-3 (colly) cancelling the bail and issuance of non-bailable warrants of arrest for 19.05.2025.

4. Learned counsel for the petitioners contends that the absence of the petitioners was not intentional and are still ready to face the trial.

5. Notice of motion to respondent No.1 only at this stage.

6. Mr. Praveen Bhadu, Asstt. A.G. Haryana present in Court, accepts notice on behalf of the State-respondent.

7. Without commenting on the merits at this stage, petitioners are directed to appear before the court of learned Additional Sessions Judge within 07 days from today and in the event of their arrest, they are ordered to be released on interim bail on their furnishing bail bonds/surety bonds to the satisfaction of the learned Court. The petitioners will also furnish a specific undertaking that in future they will appear



on each and every date of hearing without fail and only in case of extreme exigency will seek prior exemption from the Court in accordance with law.

8. The petitioners will not leave the country without prior permission of the Court nor shall make any attempt to contact the complainant of the case or any witness associated with the case.

9. On the appearance of the petitioners, the learned Trial Court is directed to communicate the order to this Court, through appropriate channel well before the next date of hearing.

10. List on 07.05.2025.

11. In the meanwhile, operation of the impugned order dated 04.03.2025 (Annexure P-3) shall remain stayed till the next date of hearing.

6. Keeping in view the fact that the petitioners have already appeared in the Court and furnished their requisite bail/surety bonds consequent to the order dated 22.04.2025, passed by this Court, the present petition is allowed. The order dated 04.03.2025 (Annexure P-3) passed by the learned Additional Sessions Judge, Hisar, stands quashed and the interim bail granted vide order dated 22.04.2025 is hereby confirmed.

7. The petition stands disposed of.

(SANJIV BERRY)
JUDGE

07.05.2025
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |