



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

**CRM-M-20786-2025
DECIDED ON: 28.04.2025**

DEV DUTT @ AJAY @ BHOLA

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Vishal Yadav, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 482 Cr.PC for quashing of the impugned order dated 23.09.2024(Annexure P-3) passed by the Ld. Additional Sessions Judge, Rewari in case "SC/282/2023 titled as State of Haryana vs. Rahul etc" in FIR No. 259 dated 19.08.2022 under section 307,323,379-B,452 & 506 IPC and section 25 of Arms Act registered at P.S. Khol, District Rewari whereby the bail bonds of the petitioner were cancelled and bail bonds were forfeited to state and Warrants of arrest has been issued against the petitioner and the subsequent orders vide which fresh Non-Bailable Warrants were issued against the petitioner.

Learned counsel for the petitioner submits that it is only on one occasion i.e. on 23.09.2024 (Annexure P-3), when the petitioner could not appear before the trial Court, however, he has been continuously appearing on each and every date. He further submits that the absence of the petitioner on the said date i.e. 23.09.2024 is stated to be on account of miscommunication between him and his counsel. Due to his absence on the said date, his bail stands cancelled and bail/surety bonds were forfeited to the State and he was summoned through non-bailable warrants for 11.11.2024.

He undertakes that the petitioner will surrender before the trial Court and shall join the trial proceedings without any delay or default in future.

Notice of motion.

On the asking of the Court, Mr. Chetan Sharma, DAG, Haryana accepts notice on behalf of the respondent-State, who is not averse to the undertaking given by the petitioner that he will surrender before the trial Court.

In view of the above, the petitioner is directed to surrender before the trial Court within a period of one week from today and apply for regular bail.

In case, such an application for bail is moved by the petitioner before the learned trial Court, the same shall be considered on the same date and decided in accordance with law.

However, it is made clear that in case the petitioner does not abide by the aforesaid undertaking, the respondent/State shall be at liberty to move an appropriate application for revival of the instant petition.

There is no denial to the fact that due to petitioner's act, delay has occurred in trial proceedings and has caused prejudice to the other side and to compensate the delay which is caused by the petitioner alone, he is directed to deposit costs of Rs.15,000/- with Chandi Kusht Ashram Society, Kotak Mahindra Bank, Sector 46-C, A/c No.1445265900, IFSC Code: KKBK0004211 and a receipt of the same be produced before the trial Court and only in that eventuality, application of the petitioner for seeking bail be considered and decided on the same day.

The instant petition is disposed of in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

28.04.2025

Poonam Negi

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No