



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

112

CRM-M-23802-2025

Date of decision : 03.05.2025

Baljinder Singh

....Petitioner

V/S

State of Union Territory, Chandigarh and another

....Respondents

**CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR**

Present: Mr. Rakesh Bhatia, Advocate for the petitioner.

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**NAMIT KUMAR, J. (ORAL)**

1. The petitioner has filed the instant petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of orders dated 29.01.2025 (Annexure P-3) and 21.03.2025 (Annexure P-4) passed by learned Fast Tract Special Court, Chandigarh in FIR No.39 dated 08.04.2024 registered under Sections 376 & 509 of Indian Penal Code, 1860 at Police Station Maloya, U.T. Chandigarh, whereby the bail and surety bonds of the petitioner has been cancelled and non-bailable warrants has been issued against him.

2. Learned counsel for the petitioner contends that the petitioner was granted regular bail by learned Additional Sessions Judge, Chandigarh vide order dated 21.06.2024 and thereafter, he kept on appearing before the Trial Court regularly. However, inadvertently he noted down the wrong date of hearing on 03.12.2024, the petitioner could not appear before the Trial Court on 29.01.2025. Now, the warrants of arrest against the petitioner has been issued for 03.06.2025, vide order dated 22.04.2025. He submits that the petitioner is the victim of circumstances and his absence was unintentional. He further submits that the petitioner is ready and willing to join the trial proceedings and undertakes to be present before the Trial Court on each and every date.

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

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4. Ms. Vasundhara Dalal Anand, Addl. Public Prosecutor for U.T. Chandigarh accepts notice on behalf of the respondent-State and submits that the impugned order has been passed on the sole ground of the absence of the petitioner.

5. I have heard learned counsel for the parties and perused the record.

6. A perusal of the order dated 29.01.2025 (Annexure P-3) reflects that the Trial Court proceeded to pass the extreme order of cancellation of bail for the solitary absence of petitioner. The object of cancellation of bond or declaration of anyone as proclaimed offender/person is to secure his presence. The petitioner has come forward to face the proceedings and undertakes to appear before the Trial Court on each and every date, thus, his presence would meet ends of justice. The explanation offered for non-appearance before the Trial Court is justified and, therefore, the same is accepted.

7. Considering overall facts and circumstances of the case, the impugned orders dated 29.01.2025 (Annexure P-3) and 21.03.2025 (Annexure P-4) are set aside subject to appearance of the petitioner before the Trial Court on 03.06.2025, the date fixed before it and on his doing so, he shall be released on bail and allowed to remain on the same bail bonds and surety bonds. In the event of non-compliance of this order, the order dated 29.01.2025 and 21.03.2025 would remain intact.

8. The petition is disposed of in the above terms.

**03.05.2025***kothiyal***(NAMIT KUMAR)  
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No