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

**CRM-M-28250-2025
DECIDED ON: 29.05.2025**

RAJBIR SINGH ALIAS RAVI RAJGARH**.....PETITIONER**

VERSUS

STATE OF PUNJAB**.....RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Mandeep Nagpal, Advocate for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 528 of BNSS for quashing of impugned orders 15.04.2025 & 29.04.2025 (P-1) in FIR no. 02 dated 20.06.2022, Under Section 384, 465, 466, 468, 471, 120- B of IPC, 1860 along with 12 of Passport Act and Section 25 of Arms Act, P.S State Crime, SAS Nagar in case titled "*State vs Lawrence Bishnoi & ors.*" (Case no. CHI-510-2024) passed by the Ld. Court of Judicial Magistrate First Class at Mohali (SAS Nagar) whereby exemption application of the petitioner has been dismissed along with his Bail Orders, bail Bonds & Surety Bonds were Forfeited and nonailable warrants have been issued against him.

Learned counsel for the petitioner submits that the petitioner had been regularly appearing before the trial Court on each and every date of hearing. However, on 15.04.2025, he moved an exemption application on the ground of serious illness, but the same was dismissed and the bail of the petitioner stands cancelled and his bail bonds were forfeited to the State and non-bailable warrants has been issued against him. It is submitted that the absence of the petitioner was neither

intentional nor deliberate, but was due to unavoidable circumstances, which were beyond his control.

Learned counsel for the petitioner though at the outset without contesting the order dated 15.04.2025 & 29.04.2025 (P-1) on merits undertakes to join the trial proceedings within ten days.

Notice of motion.

Mr. Jasjit Singh Rattu, DAG Punjab. accepts notice on behalf of respondent/State and not averse to the undertaking given on behalf of the petitioner.

Without addressing the merits of the case or the legality of the order, as the same has not been contested by the learned counsel for the petitioner, who has voluntarily agreed to join the proceedings before the trial court and to pay a compensatory penalty of Rs. 25,000/- to the Punjab & Haryana High Court Employees Welfare Association, Chandigarh for causing unwarranted delay in the trial proceedings, the order dated 15.04.2025 & 29.04.2025 (P-1) are hereby set aside.

However, the aforesaid order would be subject to fulfillment of undertaking given before this Court on behalf of the petitioner that he will surrender before the trial Court within ten days. If any application seeking bail is moved by the petitioner, the same be considered by the Court below preferably on that very day in accordance with law.

The amount so deposited by the petitioner shall not be construed as cost for this order but penalty for stalling the court proceedings by evading himself from trial for a long time.

The petition stands disposed off in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

29.05.2025

Meenu

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*