



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

126

CRM-M-27403-2025
DATE OF DECISION: 20.05.2025

RAJINDER SINGH ALIAS RAJU**...PETITIONER****Versus****STATE OF HARYANA****... RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Mohit Kakkar, Advocate the petitioner(s).

Mr. Chetan Sharma, DAG, Haryana.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 528 of BNSS, 2023, seeking quashing of order dated 04.03.2025 (P-1) passed by Addl. Session's Judge, Sirsa and all subsequent orders, in pending trial bearing No. ELC/01/2021 dated 11.02.2021, arising out of FIR No. 449 Dated 31.12.2020 Under Section 136 of Electricity, 2003 registered at Police Station City Mandi Dabwali, District Sirsa, Haryana (P-2), whereby the bail of the Petitioner was cancelled and bail bonds and surety bonds are forfeited and warrant of arrest of the petitioner was issued and now the trial is pending for 03.06.2025.

Learned counsel for the petitioner submits that the petitioner is a poor labourer and was out of station in search of work on 04.03.2025, moreover, due to miscommunication with his lawyer, he could not appear in Court on the date of hearing, thus, due to his non-



appearance, the Trial Court cancelled the bail of the petitioner; forfeited the bail and surety bonds and summoned him through arrest warrants. He submits that the petitioner did not had any intention to avoid attendance in the Court proceedings otherwise he was appearing regularly on each and every date before the Court. 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, learned State Counsel 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.

Considering the submissions made by learned counsel and also in appreciation of the fact that it will only speed up the proceedings before the Trial Court which is one of the essence as enshrined under Article 21 of the Constitution of India, the petitioner is directed to surrender before the trial Court on the next date of hearing i.e. 03.06.2025 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.

The aforesaid order/concession to the petitioner shall be subject to payment of costs of Rs.10,000/- to be deposited with the Punjab and Haryana High Court Bar Association, Chandigarh 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 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 instant petition is disposed of in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

20.05.2025
anuradha

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No