

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

2025.PHHC.089153



(312)

**CRM-M-31497-2025
Decided on : 21.07.2025**

Dharmender Singh

.....Petitioner(s)

Versus

State of Haryana

.....Respondent(s)

CORAM : HON'BLE MR.JUSTICE JASJIT SINGH BEDI

Present: Mr.Rahul Singh, Advocate, for the petitioner (s).

Mr.Shiva Khurmi, DAG, Haryana.

JASJIT SINGH BEDI, J. (Oral)

1. The prayer in the present petition under Section 528 BNSS, 2023 is for quashing of order dated 12.03.2025 (Annexure P-5) passed by Sub Divisional Judicial Magistrate, Bilaspur, whereby the bail of the petitioner was cancelled and his bail/surety bonds were forfeited to the State and he was ordered to be summoned through non-bailable warrants of arrest in case FIR No.88 dated 27.05.2020 under Sections 148, 149, 323, 363, 366, 452 IPC (149, 149, 363 and 366 IPC were deleted and 34 IPC was added later on) at Police Station Bilaspur, District Yamuna Nagar.

2. On 01.07.2025, the following order was passed:

“By way of present petition filed under Section 528 of the B-hartiya Nagarik Suraksha Sanhita 2023 (BNSS), the petitioner seeks quashing of the order dated 12.03.2025 (Annexure P-5) passed by Sub Divisional Judicial Magistrate, Bilaspur, whereby the bail of the petitioner was cancelled and his bail/surety bonds were forfeited to the State and he was ordered to be summoned through non-bailable warrants of arrest in case FIR as mentioned below: -

FIR No.	Dated	Sections	Police Station
88	27.05.2020	148, 149, 323, 363, 366,452 IPC(149, 149, 363 and 366IPC were deleted and 34IPC was added later on)	Bilaspur, Dis- trict Yamuna Nagar

2. Heard.
3. It is, *inter alia*, contended by learned counsel for thepetitioner that the petitioner after being granted the concession of bailhad been regularly appearing in the Court, however, on account ofdemise of his uncle, he could not put in appearance on 12.03.2025,leading to cancellation of his bail and issuance of nonailable warrantsof arrest, vide order dated 12.03.2025 passed by Sub DivisionalJudicial Magistrate, Bilaspur, in case No. *CHI-219-2020(CNR No. HRY-NA10005162020), State vs. Vikas etc.* He contends thatthe absence of the petitioner was not intentional and if granted theconcession of bail, the petitioner will regularly appear in the Court oneach and every date of hearing without fail and face the trial.
4. Notice of motion, returnable for 21.07.2025.
5. On the asking of the Court, Mr. Amrik Narwal, DAG,Haryana, who is present in Court, accepts notice and submits that the

petitioner had been moving the applications for exemption without anyreason and this was the 5th successive application, so moved, wi-thoutany justifiable reason by the petitioner, leading the learned Tri-al Courtto cancel his bail and issue nonailable warrants of arrest. He contendsthat the next date fixed before the learned Trial Court is 06.09.2025 forthe service of the petitioner.
6. After considering the rival contentions and perusing therecord thereof without commenting on the merits of the case, thepetitioner is directed to appear before the learned Trial Court/Judge ondu-ty/Duty Magistrate within a period of 07 days from today and in tha-tevent, learned Trial Court/Judge on duty/Duty Magistrate will ad-mitthe petitioner on interim bail subject to its satisfaction on hisfur-nishing requisite bail/surety bonds, however, subject to deposit of acost of Rs. 10,000/- in the District Legal Services Authori-ty,Yamunanagar, before furnishing bail/surety bonds.

7. The petitioner shall also furnish a specific undertaking before the learned Trial Court/Judge on duty that, in future, he would be regularly appearing before the concerned Court on each and every date and in case of some exigency, he will seek prior permission of the concerned Court qua his exemption to appear on the date fixed.

8. The Trial Court is directed to communicate the order on the appearance of the petitioner in this Court immediately, through appropriate channel well before the date of hearing.”

3. Counsel for the petitioner submits that in deference to the aforementioned order, petitioner has surrendered on 04.07.2025 and has since been released on interim bail. He further states that the trial is at its fag end.

4. In view of the above, no further orders are called for.

5. Accordingly, the present petition stands disposed of.

21.07.2025

Sailesh

(JASJIT SINGH BEDI)
JUDGE

Whether speaking/reasoned :

Yes/No

Whether Reportable :

Yes/No