



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

CRM-M-34721-2025(O&M)

Date of Decision:21.07.2025

Raghubir Singh

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present: Mr. Sahil Arora, Advocate
for the petitioner.

Mr. M.S. Bajwa, DAG, Punjab.

N.S.Shekhawat J. (Oral)

CRM-27358-2025

Application is allowed as prayed for, subject to just all exceptions.

Annexure P-4 is taken on record.

Main case

1. The petitioner has filed the present petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to quash the order dated 16.01.2025 (Annexure P-3), passed by the Court of Additional Sessions Judge, SAS Nagar, whereby the bail of the petitioner was cancelled and the bail bonds and surety bonds were ordered to be forfeited to the State and the petitioner was ordered to be summoned through non-bailable warrants of arrest.
2. Learned counsel for the petitioner contends that the FIR in the present case was registered on 02.10.2020 and the petitioner was ordered to be released on bail, vide order dated 26.10.2020 (Annexure P-2). Thereafter, the

petitioner was regularly appearing before the trial Court. However, on 16.01.2025, the petitioner could not appear before the Trial Court, due to his ill health. He next contends that on the next date of hearing, his counsel was present before the Court and had moved the exemption application as per his directions, however, the learned Court wrongly rejected the prayer made by the petitioner. Learned counsel for the petitioner next contends that the petitioner is ready to surrender before the Court and shall join the trial proceedings. He further contends that the petitioner shall appear on each and every date of hearing, before the Trial Court and shall not absent himself during the Court proceedings.

3. Notice of motion.

4. On the asking of the Court, Mr. M.S. Bajwa, DAG, Punjab, who is present in the Court, accepts notice on behalf of the respondent-State.

5. Learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that the petitioner had not appeared intentionally before the Trial Court and there is no illegality in the impugned order passed by the Court below and the petitioner does not deserve the concession of bail.

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

6. It is not in dispute that that the petitioner was on bail earlier and was regularly appearing before the Trial Court, however, on 16.01.2025, he could not appear before the Trial Court, due to his ill health.

7. Thus, taking a lenient view of the matter, the petitioner is permitted to surrender before the Trial Court/Duty Magistrate within a period of two

weeks from today and on his surrender, he shall be admitted to bail. It is also ordered that the concerned Court may not insist on filing fresh bail bonds/surety bonds and the earlier bail bonds/surety bonds furnished by the petitioner shall be restored. However, the petitioner shall pay a cost of Rs.15,000/-with the Punjab and Haryana High Court Bar Clerks' Association, within a period of 02 weeks.

8. At the time of surrender, the petitioner shall also file an affidavit before the concerned Court that he shall continue to appear before the Court on each and every date of hearing and shall not absent himself during the Court proceedings, except with prior permission of the Court.

9. The Trial Court/Duty Magistrate shall also be at liberty to impose any other conditions, as it deems fit in the peculiar facts and circumstances of case.

10. The petition stands allowed in the above terms.

21.07.2025
hitesh

(N.S.SHEKHAWAT)
JUDGE

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