

**CRM-M-34904-2025(O&M)****IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**Sr. No.141**CRM-M-34904-2025(O&M)****Date of decision : 07.07.2025****BUNTY ALIAS ROHAN**

..... Petitioner

VERSUS**STATE OF HARYANA**

..... Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Munish Raj, Advocate
for the petitioner(s).

KIRTI SINGH, J. (Oral)

This petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed seeking quashing of the impugned order dated 09.05.2025 (Annexure P-2), passed in Sessions Case No. 466 of 2023, CNR No. HRKR01-012531-2023, by the learned Additional District and Sessions Judge, Karnal, arising out of FIR No.232 dated 09.05.2023, registered under Sections 363, 366, 376(3) and 506 of the IPC and Section 6 of the Protection of Children from Sexual Offences Act, 2012, at Police Station Sector 32-33, Karnal, whereby the bail granted to the petitioner was cancelled and his personal and surety bonds were forfeited to the State.

2. Learned counsel for the petitioner submits that the petitioner was granted regular bail in the aforementioned case by this Court vide order dated 22.04.2024 passed in CRM-M-18371-2024 and he had been appearing regularly before the Court and did not violate any condition imposed on him while granting bail. However, on 09.05.2025, the petitioner was unable to appear before the trial Court as he was out of station due to a personal



difficulty. He informed his counsel accordingly and was under the bona fide impression that an application seeking exemption from personal appearance had been filed on his behalf. This led to the passing of the impugned order, whereby his bail was cancelled and his personal bonds and surety bonds were forfeited to the State. Learned counsel further submits that the petitioner's non-appearance was neither intentional nor willful, and that he is ready and willing to appear before the learned trial Court and comply with all terms and conditions that may be imposed by the Court.

3. On advance notice, Ms. Mahima Yashpal, DAG, Haryana accepts notice on behalf of respondent-State. Learned State counsel opposes the prayer made in the petition and has argued that the learned trial Court had rightly cancelled the bail bonds/surety bonds of the petitioner.

4. Heard.

5. The objective of the coercive mechanism prescribed under the criminal law is to ensure that the accused remains present before the Court to receive the orders and punishments as are passed qua the accused. If the accused shows his sincere intention and desire to appear before the Court, then it would not be unjustified to protect him from being arrested.

6. On hearing learned counsel for the petitioner and perusing the record, it is evident that the petitioner was granted bail by this Court. However, due to some personal difficulty, he failed to appear before the trial Court on 09.05.2025, which was not intentional. However, the petitioner is ready and willing to appear before the learned trial Court and face the trial and thus seeks quashing of the impugned order.

7. This Court finds that no useful purpose will be served by sending the petitioner into custody, considering he had been continuously



appearing before the trial Court but could not appear on the one date i.e. 09.05.2025, and given the fact that he is ready and willing to comply with all the conditions imposed on him.

8. In view of the above, the present petition is allowed. Impugned order dated 09.05.2025 (Annexure P/2) is hereby set aside, **subject to payment of Rs.10,000/- to be deposited in Poor Patients’ Welfare Fund, PGIMER, Chandigarh.** The petitioner would appear before the trial Court on within a period of 10 days and file appropriate application. The trial Court would release the petitioner on same bail bonds/surety bonds. No coercive action would be taken against the petitioner till then. In case, the petitioner fails to appear before the learned trial Court within prescribed period as stated above, this order would be of no avail to the petitioner.

(KIRTI SINGH)
JUDGE

07.07.2025
Kavita

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