

CRM-M-35907 of 2025 (O&M)

2025:PHHC:083620



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

CRM-M-35907 of 2025 (O&M)

Date of decision: 11.07.2025

Ashish alias Ashish Singh Rohilla and another

.....Petitioners

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: - Mr. Nishant Chauhan, Advocate,
for the petitioners (through V.C.).

M. Ramendra Chauhan, AAG, Haryana.

NAMIT KUMAR, J. (ORAL)

CRM-25974 of 2025

Allowed as prayed for.

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1. Petitioners have filed this petition under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for quashing of impugned order dated 20.05.2025 (Annexure P-3), passed by the Court of learned Judicial Magistrate Ist Class, Panipat, in case FIR No.181 dated 22.08.2019 registered under Sections 323, 34, 377, 406, 498-A, 506 IPC at Women Police Station, Panipat, District Panipat, vide which while cancelling the bail granted to the petitioners, their bail bonds were also ordered to be cancelled and forfeited to the State and non-bailable warrants of arrest have been issued.

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2. Learned counsel for the petitioners contends that the petitioners were on regular bail and they kept on appearing before the trial Court regularly. He further submits that vide impugned order dated 20.05.2025, application of the petitioners seeking exemption from personal appearance has been rejected by the trial Court and bail granted to them has wrongly been cancelled as the petitioners could not appear before the trial Court on 20.05.2025 due to serious ailment of co-accused Urmila, who was being looked after by the petitioners and Urmila has unfortunately died on account of the said ailment on 30.05.2025. Learned counsel further submits that the petitioners are the victims of circumstances and their absence was unintentional. He also submits that the petitioners are ready and willing to join the trial proceedings and undertake to be present in Court on each and every date.

3. Notice of motion.

4. Mr. Ramendra Chauhan, AAG, Haryana, accepts notice on behalf of the respondent-State and submits that the impugned order has been passed as time and again the petitioners were seeking exemption from personal appearance.

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

6. The object of cancellation of bond or declaration of anyone as proclaimed offender/person is to secure his presence. The petitioners have come forward to face the proceedings and undertake to appear before the trial Court on each and every date, thus, their

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presence would meet ends of justice. Thus, the explanation offered for non-appearance before the trial Court is justified and therefore, the same is accepted.

7. Considering overall facts and circumstances of the case, the impugned order 20.05.2025 (Annexure P-3) is set aside subject to appearance of the petitioners before the trial Court on or by 25.07.2025 and on their doing so, they shall be released on bail and allowed to remain on the same bail bonds and surety bonds. In the event of non-compliance of this order, the order dated 20.05.2025 would remain intact.

8. The petition is disposed of in above terms.

		(NAMIT KUMAR)
		JUDGE
11.07.2025		
R.S.	Whether speaking/reasoned	: Yes/No
	Whether Reportable	: Yes/No