



CRM-M-36606 of 2025

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

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CRM-M-36606 of 2025
Date of Decision: 15.07.2025

Hem Narayan Tiwari

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Anil Goel, Advocate (through VC)
for the petitioner.

Mr. Apoorv Garg, Addl. A.G., Haryana.

Manisha Batra, J.(Oral)

1. Prayer in the present petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short "BNSS") is for quashing of the order dated 25.04.2025 (Annexure P-3) passed by the learned Sub Divisional Judicial Magistrate, Hansi, in case FIR No.685 dated 24.10.2020, registered under Sections 406, 420, 467, 468, 471 and 120-B of IPC, at Police Station Hansi City, District Hisar, whereby, the bail of the petitioner was cancelled and his bonds were ordered to be forfeited to the State due to his non-appearance and warrant of arrest was issued against him.

2. It is *inter alia* submitted by learned counsel for the petitioner that he could not appear on 25.04.2025 due to noting down of wrong date of hearing as 25.07.2025 instead of 25.04.2025 from his counsel. The

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petitioner is regularly appearing before the trial Court. It is submitted that the petitioner is ready and willing to join the proceedings before the learned trial Court and his absence was not intentional but due to the reasons mentioned above. Therefore, it is urged that the impugned order be set aside.

3. A perusal of the order dated 25.04.2025 reveals that the bail of the petitioner was cancelled due to his non-appearance on that date. Although, no illegality or infirmity is found in the impugned order, however, in view of the fact that his absence was not intentional and he is willing to join the proceedings before the learned trial Court and to abide by the terms and conditions imposed upon him and since it appears that it was not on account of any carelessness that he could not appear before the learned trial Court on 25.04.2205, therefore, the present petition is disposed of with a direction to the petitioner to surrender before the learned trial Court within a period of one month from today, on his furnishing fresh bail bonds/surety bonds to the satisfaction of the learned trial Court.

4. A copy of this order be handed over to learned counsel for the petitioner under the signatures of Bench Secretary of this Court.

15.07.2025*D.Bansal***(MANISHA BATRA)
JUDGE**

Whether speaking/ reasoned :	Yes/ No
Whether Reportable :	Yes/ No