



CRM-M-39352 of 2025

-1-

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

145

CRM-M-39352 of 2025
Date of Decision: 24.07.2025

Bagga Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Sukhbir Maandi, Advocate
for the petitioner.

Mr. Eklavya Darshi, DAG, Punjab.

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 09.06.2025 (Annexure P-2) passed by the learned Judicial Magistrate Ist Class, Patti, District Tarn Taran, in criminal complaint case No.NACT-239/2021 titled 'Harjit Singh Vs. Bagga Singh', whereby, the bail bonds of the petitioner were cancelled and forfeited to the State and non-bailable warrants were issued against him as well as the order dated 10.07.2025 (Annexure P-4), whereby, fresh non-bailable warrants had been ordered to be issued against him.

2. It is *inter alia* submitted by learned counsel for the petitioner that on 09.06.2025, an application seeking exemption from personal appearance had been filed by the petitioner. However, while declining the

**CRM-M-39352 of 2025****-2-**

same, his bail bonds were ordered to be cancelled and forfeited to the State. He further submits that the petitioner could not appear on 09.06.2025 due to his bad health. The 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 orders be set aside.

3. A perusal of the order dated 09.06.2025 reveals that the bail bonds of the petitioner were cancelled due to his non-appearance on that date. While passing the order, learned Magistrate was stated the said case in the category of an action plan cases. Although, no illegality or infirmity is found in the impugned order, however, in view of the fact that his absence was not intentional as he had already filed the exemption application 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 09.06.2205, therefore, the present petition is disposed of with a direction to the petitioner to surrender before the learned trial Court, on or before the date fixed i.e. 31.07.2025, 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.

24.07.2025
D.Bansal

(MANISHA BATRA)
JUDGE

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