

2025:PHHC:094269



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

**CRM-M-39870-2025
Date of Decision: 28.07.2025**

Dr. Pankaj

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Parveen Kaushik, Advocate
for the petitioner.

Mr. Sumit Jain, Addl. AG, Haryana.

RAJESH BHARDWAJ, J. (ORAL)

1. Prayer in the present petition is for setting aside the impugned order dated 13.06.2025 (Annexure P-5) vide which revision petition filed by the petitioner was dismissed upholding the impugned order dated 10.02.2025 (Annexure P-3) vide which exemption application filed by the petitioner to exempt the presence on 10.02.2025 was dismissed and non-bailable warrants have been issued against the petitioner in case FIR No.582 dated 15.12.2020 (Annexure P-1) under Sections 419/420/467/468/471/120B/201 of IPC, 1860, registered at Police Station City Bahadurgarh, District Jhajjar.

2. It has been contended by counsel for the petitioner that the petitioner has been prosecuted in the above mentioned case. He has submitted that non-bailable warrants of arrest were issued against the petitioner vide order dated 10.02.2025 (Annexure P-3) passed by the Ld. JMIC, Bahadurgarh. The petitioner filed the revision petition challenging the impugned order but the learned revisional Court has also dismissed the revision petition vide order

dated 13.06.2025 (Annexure P-5). He has further submitted that the non-appearance of the petitioner was not deliberate but was due to suffering from cold and fever. He has filed the application for exemption but the same was declined by the learned trial Court. He has submitted that the petitioner is keen to join the proceedings. He has thus submitted that the petitioner be granted protection for appearing before the learned trial Court.

3. Notice of motion.

4. On asking of the Court, Mr. Sumit Jain, Addl. AG, Haryana appears and accepts notice on behalf of the respondent-State. He has opposed the submissions made by learned counsel for the petitioner and has stated that the trial Court has rightly issued non-bailable warrants against the petitioner, who remained absent from the Court without any valid reason.

5. After hearing counsel for the parties and perusing the record, it is apparent that the petitioner was prosecuted in FIR No.582 dated 15.12.2020 (Annexure P-1) under Sections 419/420/467/468/471/120B/201 of IPC, 1860, registered at Police Station City Bahadurgarh, District Jhajjar. As per, the petitioner, he has filed the application for exemption before the Ld. Trial Court but the same was dismissed as no medical slip was attached with the same and thus, due to absence of the petitioner, non-bailable warrants were issued against him. Thereafter, the petitioner has filed the revision petition which was also dismissed by the Revisional Court. Without commenting anything about the authenticity of the ground of absence taken by the petitioner, this Court proceed to decide the matter as now the petitioner is ready and keen to join the proceedings. So, keeping in view the abovesaid facts, the present petition is disposed of and the impugned order dated 10.02.2025 whereby non-bailable warrants have been issued against the petitioner and the order dated 13.06.2025 passed by the learned Revisional Court are hereby set aside subject to payment

of Rs.25,000/- as costs to be paid to the Day Care Centre for Elderly Disabled Home for Old & Destitute People, Sector 15, Chandigarh. The petitioner is directed to appear before the trial Court within a period of 10 days from today and files appropriate application along with receipt of deposit of above-said costs then the trial Court will admit him to bail subject to its satisfaction during the pendency of trial and proceed with the trial as per law. Petitioner will have protection from arrest for a period of 10 days from today.

6. Needless to say that in case the petitioner fails to comply with the abovesaid direction within the stipulated period, he has no benefit of this order and the order dated 10.02.2025 would stand automatically revived and the present petition shall be deemed to have been dismissed.

7. Disposed of in above terms.

28.07.2025
Parveen kumar

(RAJESH BHARDWAJ)
JUDGE

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