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

**CRM-M-39845-2025
DECIDED ON: 29.07.2025**

RAJENDER SINGH ALIAS RAJ SINGH **.....PETITIONER**
VERSUS

STATE OF HARYANA AND ANOTHER **.....RESPONDENTS**

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Dharambir Bhargav, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 528 of BNS, 2023 r/w 482 Cr. P.C. for quashing of F.I.R. No. 173 dated 21.06.2021 (Annexure P-1) under Section 406, 420, 506, 120-B IPC registered at Police Station Mahesh Nagar, District Ambala and order dated 03.06.2025 (Annexure P-5) passed by Ld. JMIC, Ambala whereby, non-bailable warrants have been issued against the petitioner, alongwith other subsequent proceedings arising out of the same FIR, in the interest of justice.

Learned counsel for the petitioner confines his prayer to the quashing of order dated 03.06.2025 (Annexure P-5) videe which non-bailable warrants have been issued against the petitioner.

Learned counsel for the petitioner submits that the petitioner was lodged in Central Jail, Patiala during the relevant period and, as such, could not be produced before the Ld. Trial Court at Ambala in the present case, which inadvertently led to the issuance of non-bailable warrants against him. It is further submitted that the matter has been amicably settled between the petitioner and the complainant, and a compromise has been duly effected.

Learned counsel for the petitioner though at the outset without contesting the order dated 03.06.2025 (Annexure P-5) on merits undertakes to join the trial proceedings within ten days.

Notice of motion upon respondent No.1/State only.

Mr. Sushil Bhardwaj, Addl. AG. Haryana, accepts notice on behalf of respondent/State and not averse to the undertaking given on behalf of the petitioner.

Without addressing the merits of the case or the legality of the order, as the same has not been contested by the learned counsel for the petitioner, who has voluntarily agreed to join the proceedings before the trial court and to pay a penalty of Rs. 10,000/- to the Punjab & Haryana High Court Bar Clerk's Association for causing unwarranted delay in the trial proceedings, the order dated 03.06.2025 (Annexure P-5) is hereby set aside.

However, the aforesaid order would be subject to fulfillment of undertaking given before this Court on behalf of the petitioner that he will surrender before the trial Court within ten days. If any application seeking bail is moved by the petitioner, the same be considered by the Court below preferably on that very day in accordance with law.

The amount so deposited by the petitioner shall not be construed as cost for this order but penalty for stalling the court proceedings by evading himself from trial for a long time.

The petition stands disposed off in the aforesaid terms.

However, the petitioner would be at liberty to seek quashing of FIR on the basis of compromise dated 12.03.2022 (Annexure P-6) allegedly entered between the parties.

(SANDEEP MOUDGIL)
JUDGE

29.07.2025

Meenu

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No