



CRM-M-42312-2025

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

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**CRM-M-42312-2025
Date of decision: 18.08.2025**

SHISH RAM ALIAS SHISHRAM ALIAS SHEESHRAM

....Petitioner

Versus

STATE OF HARYANA AND ANOTHER

...Respondent

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present : Mr. Rahul Sangwan, Advocate
for the petitioner.

Mr. Ved Parkash, Sr. DAG, Haryana.

SURYA PARTAP SINGH. J.(Oral)

1. This is a petition, filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as 'BNSS'), for quashing the order dated 28.05.2025, (Annexure P-2), passed by the Court of learned Judicial Magistrate First Class, Rewari, whereby bail of the petitioner has been cancelled, his bail/surety bonds have been forfeited to the State and warrant of arrest has been issued. The abovesaid order has been passed in a complaint case bearing registration No.NI-1212-2021, titled as "Mishro Devi Versus Shishram", under Section 138 of Negotiable Instrument Act, 1881.

2. Notice of motion.

3. Mr. Ved Parkash, Sr. DAG, Haryana, accepts notice on behalf of respondent-State and waives service.

4. Mr. Z.S. Chauhan, Advocate, puts in appearance on behalf of the respondent No.2, and files his *Vakalatnama*. The same be taken on record.

5. Learned counsel for the petitioner submits that the petitioner was

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regularly appearing before the learned trial Court, but due to his ill-health he could not appear before the learned trial Court on 28.05.2025. Copy of the medical record of the petitioner is annexed with the petition as Annexure P-6. As per learned counsel for the petitioner, on 28.05.2025, he could not appear before the Court and the learned trial Court cancelled his bail and forfeited his surety bonds. According to learned counsel for the petitioner the learned trial Court has further proceeded to issue warrant of arrest against the petitioner.

6. Heard.

7. It has been revealed during the course of arguments that this is the first occasion when the petitioner has jumped the jail during trial. Otherwise the offence for which the petitioner is being prosecuted, is bailable.

8. In view of above, the present petition is hereby allowed and the petitioner is hereby directed to appear before the learned trial Court within a period of two weeks from today. In case, the petitioner appears before the learned trial Court within the stipulated period, he shall be admitted to bail on furnishing bail bonds to the satisfaction of the learned trial Court concerned/Illaq Magistrate/Duty Magistrate. However, the learned trial Court would be at liberty to proceed against the petitioner as well as his surety, as per provisions contained under Section 491 of BNSS (erstwhile Section 446 of CrPC).

(SURYA PARTAP SINGH)
JUDGE

18.08.2025
amandeep

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