



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

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**CRM-M-44132-2025
Decided on:19.08.2025**

Manoj Kumar

...Petitioner

Versus

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice Rajesh Bhardwaj

Present: Mr. Abdul Aziz, Advocate,
for the petitioner.

Rajesh Bhardwaj, J.

1. Prayer in the present petition, filed under Section 528 of the BNSS, 2023, is for quashing the order dated 02.12.2024 passed by the learned Judicial Magistrate 1st Class, Malerkotla in CHI-314-2023 titled as "State of Punjab vs. Gurdeep Singh" and the subsequent orders arising out of FIR No.34 dated 23.03.2022, registered under Sections 379, 411, 483 of IPC, 1860, at Police Station City Ahmedgarh, District Malerkotla.

2. Learned counsel for the petitioner submits that the petitioner was not well and, therefore, could not surrender before the trial Court within the time as stipulated by this Court and, thus, prays for quashing of the impugned order.

3. Perusal of the record would show that the petitioner failed to appear before the learned trial Court on 02.12.2024 and, thus, his bail bonds/surety bonds were cancelled and forfeited to the State and arrest warrants were issued against him for 21.01.2025. Aggrieved against the order dated 02.12.2024 passed by the learned trial Court, the petitioner, on an earlier occasion, approached this Court by way of filing CRM-M-1023-2025, which was disposed of by this Court vide order dated 13.01.2025 while setting aside the order dated 02.12.2024, subject to payment of Rs.10,000/-, and directing the petitioner to appear and file appropriate application along with receipt of costs before the trial Court within a period of 10 days and on his appearance,

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the trial Court was directed to admit him to bail subject to its satisfaction during the pendency of trial and proceed with the trial as per law and the petitioner was granted protection from his arrest for a period of 10 days, but it was also clarified in that order that in case the petitioner fails to comply with the abovesaid direction, he will have no benefit of that order and the order dated 02.12.2024 would stand automatically revived. In compliance of the said order dated 13.01.2025 passed by this Court, the petitioner did not appear before the trial Court for about more than three months and ultimately sought one week more time for the purpose aforesaid by way of filing CRM-14175-2025 in CRM-M-1023-2025. While taking a lenient view, this Court granted him one week more time for compliance of the order dated 13.01.2025 while allowing his application vide its order dated 21.04.2025. However, despite having been granted extension of time for compliance of the order dated 13.01.2025, the petitioner did not appear before the trial Court and is again before this Court by way of filing the present petition for quashing of the same order dated 02.12.2024, which though was set aside by this Court, but has now been revived due to non-appearance of the petitioner himself.

4. The conduct of the petitioner is writ large that he has shown utter disregard to the order passed by this Court while not appearing before the trial Court even after seeking and granted extension of time on his behalf and, thus, it seems that he has taken this Court as a ride. Resultantly, this Court does not incline to interfere in the matter having no merits therein too and hence, the present petition is outrightly dismissed.

August 19, 2025
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(Rajesh Bhardwaj)
Judge

Whether Speaking/Reasoned: NO/YES
Whether Reportable: NO/YES