



124 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-44065-2025
Date of Decision: 13.08.2025

Balraj Singh

.....Petitioner

Versus

State of Punjab

.....Respondents

CORAM : HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Simranjit Singh Blassi, Advocate
for the petitioner.

Mr. Hardeep Singh Wadhwa, DAG, Punjab.

SHALINI SINGH NAGPAL, J. (Oral)

In this petition under Section 528 of Bhartiya Nagarik Suraksha Sanhita, 2023, prayer is for setting aside order dated 08.08.2025 of learned Additional Sessions Judge Bathinda, in case FIR No. 0116 dated 17.06.2022 under Sections 363, 366-A of the Indian Penal Code, 1860, Police Station Talwandi Sabo, District Bathinda vide which bail of the petitioner was cancelled and his bail/surety bonds were forfeited.

2. Learned counsel for the petitioner submits that petitioner was regularly appearing before learned trial Court but on account of unavoidable family circumstance i.e. demise of his maternal uncle, he could not appear on 08.08.2025. He further submitted that application for exemption of the petitioner was erroneously dismissed by learned trial Court and bail of the petitioner was wrongly cancelled.

3. Learned counsel further submitted that petitioner did not commit any offence and had been falsely implicated. In fact, petitioner and the victim



were happily living together as husband and wife and out of the wedlock a female child was also born. It was, thus, prayed that impugned order dated 08.08.2025 be set aside and learned trial Court be directed to accept fresh bail and surety bonds of the petitioner in the interest of justice.

4. Copy of the impugned order dated 08.08.2025 is on record. The same shows that on the said day, neither petitioner nor his counsel appeared in the Court till 12 noon. It has been observed that out of 26 dates of hearing, petitioner remained absent 15 times. The matter was fixed for evidence of the complainant on 24.07.2025 but due to absence of the petitioner, testimony of the complainant could not be recorded. Considering past conduct of the petitioner, his application for exemption from appearance was declined, bail was cancelled and bonds were forfeited to the State. It is not the case that uncle of petitioner expired on 08.08.2025. Annexure P-4 shows that he expired on 01.08.2025 and the Bhog was fixed for 10.08.2025. The case is fixed for tomorrow i.e. 14.08.2025. Considering the reasons recorded by learned Additional Sessions Judge, Bathinda in the impugned order, which this Court has no reason to disbelieve, no ground is made out to set aside the impugned dated 08.08.2025 (Annexure P-5). The proper and lawful course for the petitioner is to surrender before learned trial Court and move an application for regular bail.

5. There is no merit in the petition, as such, the same stands dismissed.

(SHALINI SINGH NAGPAL)
JUDGE

13.08.2025

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Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No