

2025:PHHC:111271



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

Sr. No.134**CRM-M-45954-2025(O&M)****Date of decision: 22.08.2025**

Lakhwinder Singh

..... Petitioner

VERSUS

Om Parkash

..... Respondent

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

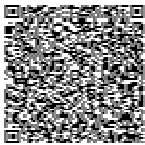
Present: Mr. Ramesh Sharma, Advocate, for the petitioner.

SANDEEP MOUDGIL, J. (ORAL)

1 The jurisdiction of this Court has been invoked under Section 528 of BNSS 2023 for quashing of order dated 19.5.2025 Annexure P-3 passed by the learned SDJM, Rajpura vide which bail of the petitioner has been cancelled and bonds and surety have been forfeited to State and non-bailable warrants have been issued against the petitioner in case bearing complaint No.CNR-PBPTA10015962022 Case No.COMA-297/2022 dated 18.5.2022 titled as 'Om Parkash Vs. Lakhwinder Singh.'

2. Learned counsel for the petitioner submits the petitioner could not appear in Court on one date i.e. 19.3.2025 due to noted wrong date, therefore, the Trial Court cancelled the bail of the petitioner and issued non-bailable warrants of arrest and subsequently he was declared proclaimed person vide order dated 19.5.2025. He submits that the petitioner did not had any intention to avoid attendance in the Court proceedings otherwise he was appearing regularly on each and every date before the Court. He undertakes

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that the petitioner will surrender before the trial Court and shall join the trial proceedings without any delay or default in future.

3. Considering the submissions made by learned counsel and also in appreciation of the fact that it will only speed up the proceedings before the Trial Court which is one of the essence as enshrined under Article 21 of the Constitution of India, impugned order dated 19.05.2025 is set aside and the petitioner is directed to surrender before the trial Court within a period of 07 days from today and apply for regular bail.

4. In case, such an application for bail is moved by the petitioner before the learned trial Court, the same shall be considered on the same date and decided in accordance with law.

5. The aforesaid order/concession to the petitioner shall be subject to payment of Rs.20,000/- as compensatory penalty to be deposited with the Punjab and Haryana High Court Bar Clerk Association, Chandigarh and a receipt of the same be produced before the Trial Court and only in that eventuality, application of the petitioner for seeking bail be considered and decided on the same day in accordance with law.

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

7 The instant petition is disposed of in the aforesaid terms.

Pending miscellaneous application(s), if any, also stands disposed of.

(SANDEEP MOUDGIL)
JUDGE

22.08.2025
Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No