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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-51514-2025 (O&M)
Date of Decision: 15-09-2025

Sumit Dalwi Alias Sumit Jalwi
State of Haryana

Versus

.....Petitioner(s)
.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Parminder Walia, Advocate for the petitioner.
Ms. Shaveta Sanghi, DAG, Haryana.

ANOOP CHITKARA, J. (Oral)

FIR No.	Dated	Police Station	Sections
72	10.6.2018	GRP Chandigarh, GRP Ambala	323, 341, 342, 365, 506 IPC

1. The petitioner, who was earlier on bail, which was cancelled due to his non-appearance, is now apprehending arrest in the FIR captioned above, and has come up before this Court under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.
2. In paragraph 10 of the bail petition, the accused declares that he has no criminal antecedents.
3. The petitioner's counsel contends that pre-trial incarceration would cause an irreversible injustice to the petitioner and their family. He submits that the petitioner would have no objection whatsoever to any stringent conditions that this Court may impose, including that if the petitioner repeats the offense or commits any non-bailable offense, the State may file an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and may do so at their discretion, to which the petitioner shall have no objection.
4. The State’s counsel opposes bail.
5. The explanation offered by the petitioner for non-appearance is mentioned in the paragraphs 4 to 6 of the petition, as per which, he was attacked by some persons when he was present at GMCH, Sector 32, Chandigarh and had suffered serious injuries, which

led to registration of FIR also and thereafter, he was under treatment and also remained bed ridden for five months. He further submitted that it was only when the serving Constable came to his house with regard to proclamation proceedings, he came to know about the fact that his bail/surety bonds have been cancelled. He has also stated that the case is fixed before the trial Court on 01.10.2025.

6. The petitioner, through counsel, has undertaken to attend all dates, except when it is beyond the petitioner's control. Given such assurance, this Court is inclined to afford one more chance.

7. Given above, by the next date before the trial Court, the petitioner shall deposit a sum of rupees fifteen thousand in the PGI Poor Patients Welfare Fund, PGIMER, Chandigarh.

8. The petitioner is directed to surrender before the concerned Court **on or before 01.10.2025, by 11:00 A.M.**

9. The petitioner's arrest shall remain stayed till the date and time mentioned above to enable the petitioner to surrender. However, it will be subject to deposit of Rs.15,000/- with the PGI Poor Patients Welfare Fund, PGIMER, Chandigarh.

10. In the event of surrender, the concerned Court/Trial Court shall release the petitioner on bail on furnishing bonds, subject to such Court's satisfaction.

11. It is clarified that if the petitioner appears before the Court concerned, then all warrants issued by the court concerned against the petitioner in the matter mentioned above shall stand recalled and canceled. It is clarified that if the petitioner fails to appear before the concerned Court within the time limit mentioned in this order, then this order shall be recalled automatically under sections 403 read with 528 BNSS, 2023, corresponding to Sections 362, read with 482 CrPC, 1973, without any further reference to this court.

12. This bail is conditional, with the foundational condition being that if the petitioner repeats the offense or commits any non-bailable offense, the State shall file an application to revoke his bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and as per their discretion, they may cancel this bail.

13. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

14. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Appellant-Accused can download this order along with the case status from the official web page of this Court and attest it to be a true copy. If the attesting

officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

15. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

15-09-2025
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(ANOOP CHITKARA)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO