

-1-

CRM-M-52586-2025
Date of decision: 17.09.2025

...PETITIONER

...RESPONDENT

Ms. Shaveta Sanghi, DAG, Haryana.

ANOOP CHITKARA, J. (ORAL)

FIR No.	Dated	Police Station	Sections
335	26.08.2022	Arya Nagar, Rohtak	323/324/34/506 IPC and Section 307 of IPC and 25 of Arms Act were added later on

4. The petitioner was earlier on regular bail vide order dated 30.08.2024 passed by the this Court. An analysis of the submissions and the petition would lead to the following outcome. It remains undisputed that when the petitioner got to know about cancellation of bail, he took legal remedy and came up before this Court. It also remains undisputed that it never happened that police officials caught him or he tried to run away to avoid an appearance in Court,



moreover, application for exemption was filed on his behalf. In such a situation, the petitioner has proved their case by a preponderance of probabilities and has prima facie established that his non-appearance was beyond his control. The petitioner within a short span on his own came before this Court, undertaking to attend the trial, and it is not the police who have been able to arrest him.

5. Let the petitioner attend the trial because the criminal justice system must not hamper and suffer because of the petitioner, however, this Court is conscious of the fact that on the day of cancellation of bail, four prosecution witnesses were also present and due to petitioner's absence, they could not be examined.

6. The State's counsel submitted that if this Court is granting any concession to the petitioner, it must be subject to some reprimand. The petitioner's counsel declared that if this court imposes reasonable and affordable costs, the petitioner shall deposit the same.

7. The primary object of the service is to secure the accused's presence at trial. The petitioner approached this court independently, establishing the bonafide at this stage. Without commenting on the case's merits, and in the facts and circumstances peculiar to this case, and also for the reasons mentioned above, the ends of justice would meet petitioner is permitted to surrender. Thus, exercising the inherent powers under section 528 BNSS, it would be appropriate to grant the following limited relief to the petitioner, subject to the compliance of the conditions mentioned in this order.

8. Given above, the petitioner is directed to surrender before the concerned court **on or before 09.10.2025, 11 AM**. On or before this date, if the petitioner files bail application(s) after surrender, the concerned trial court shall grant bail to the petitioner, as he was on bail earlier subject to furnishing bail bonds by imposing reasonable conditions deemed appropriate in the background of the accused's conduct. The petitioner is directed to appear on each date before the trial court. This order is subject to the condition that petitioner shall deposit Rs.20,000/- in the account of **Pt. B.D. Sharma, UHS Rohtak, Account No.151000000504, IFSC-INDB0000130, Bank Name-IndusInd Bank**. Petitioner shall and handover receipt of the Bank in the trial Court at the time of surrender.

9. There shall be a stay of the petitioner's arrest in the case mentioned till 09.10.2025 by 5.00 P.M. 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 section 403 read with 528 of BNSS, 2023, without any further reference to this court.

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



11. A certified copy of this order would not be needed, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the concerned court/ 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.

Petition is allowed to the extent mentioned above. All pending applications, if any, stand disposed of.

17.09.2025
renubala

(ANOOP CHITKARA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No