



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

126

CRM-M-53988-2025 (O&M)

Date of decision: 24.09.2025

Yuganter Sharma

....Petitioner

Versus

Garg Pvc Pipe Industry

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. D.S. Matya, Advocate for the petitioner

AMAN CHAUDHARY, J. (ORAL)

1. The present petition has been filed under Section 528 BNSS for quashing of order dated 11.09.2025 passed by learned SDJM in a complaint bearing No.NACT-77-2023 titled as Garg PVC Pipe Industry vs. Yuganter Sharma and Another, wherein the bail of the petitioner was cancelled and non-bailable warrants were issued against the petitioner.

2. Learned counsel submits that the petitioner was summoned in a complaint filed under Section 138 NI Act and granted regular bail vide order dated 03.03.2025, Annexure P-3, whereafter, he continued to appear before the trial Court but for 11.09.2025 as on that day, his wife was suffering from Jaundice on extreme level and he had to take her to hospital, thus, could not contact his learned counsel, due to which, his bail was cancelled and bonds forfeited to the State and non-bailable warrants had been issued for 18.10.2025. He is ready and willing to join the proceedings on or before the next date of hearing which is 18.10.2025 and prays for grant of one opportunity for him to surrender before the trial Court, even if the same is subject to costs.



3. No order prejudicial to the rights of the private respondent is being proposed to be passed by this Court, thus, there is no requirement of effecting service upon him.

4. Heard.

5. The very purpose of issuance of warrants of arrest, is to compel and secure the presence of the accused to face trial and establish the rule of law, as also to ensure finalization of the proceedings.

6. The present petition has been filed on 22.09.2025 and warrants have been issued for 18.10.2025, which reflects the bona fide of the petitioner to join the proceedings.

7. This Court in CRM-M-36490-2022, titled as **Major Singh vs. State of Punjab**, decided on 15.09.2022, CRM-M-38277-2022, **Surjit Singh vs. State of Punjab**, dated 26.08.2022 and CRM-M-39000-2022, titled as **Raghav vs. State of Punjab**, decided on 09.09.2022, had set aside the orders of non-bailable warrants.

8. Considering the facts and circumstances of the case, judgments referred to hereinabove, the readiness and willingness of the petitioner to surrender and join the proceedings, which was incumbent upon him for the culmination of the same, the present petition deserves to be and is allowed, in the interest of justice, so as to facilitate expediting the trial and for taking it to its logical end.

9. As a consequence of the aforesaid, the impugned order dated 11.09.2025 is set aside and the petitioner is directed to surrender before the learned trial Court on or before 18.10.2025 and deposit Rs.10000/- as costs with the Punjab and Haryana High Court Bar Association Advocates' Welfare Fund,

whereupon, he be released on the same bail/surety bonds as had been furnished by him at the time of granting bail. He is also directed to furnish an undertaking by way of an affidavit that he will appear on each and every date of hearing before the learned Appellate Court, unless specifically exempted by the Court. He shall not leave the country without prior permission of the Court. The trial Court may impose any other condition that it may deem appropriate in the facts and circumstances of the present case.

- 10. The present petition is accordingly allowed.
- 11. Before parting with this order, it is made abundantly clear that in case the petitioner does not adhere to the aforesaid, the present petition shall be deemed to have been dismissed without any reference to this Court.

(AMAN CHAUDHARY)
JUDGE

24.09.2025
M.Kamra

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