



- 1-

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

353

**CRM-M-63988-2024
Date of decision: 15.01.2025**

MAHIPAL

....Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Amit Choudhary, Advocate
for the petitioner.

Mr. Ramender Singh Chauhan, AAG Haryana.

SANJIV BERRY. J.(Oral)

The instant petition under Section 528 of BNSS, 2023, for quashing of the impugned order dated 16.07.2024 (Annexure P-1) passed by learned Additional Sessions Judge, Sonipat, whereby the bail of the petitioner was cancelled and his bail bonds were forfeited in FIR No.75 dated 14.02.2019 registered under Sections 342, 395 and 397 of IPC at P.S. Rai, District Sonipat (Annexure P-2).

2. Learned counsel for the petitioner has submitted that in compliance to the order dated 18.12.2024, the petitioner has put in appearance before the learned Additional Sessions Judge, Sonapat on 21.12.2024 in case of State Vs. Mahipal SC-87-2020 and has placed on record a photocopy of the order passed by the Additional Sessions Judge, Sonapat. In this regard he submits that requisite bail bonds and surety bonds were furnished and the petitioner has been admitted to interim bail by learned trial Court in compliance to the order dated 18.12.2024



- 2-

passed by this Court.

3. This fact has not been disputed by the learned State counsel and has admitted the factual matrix.

4. During the course of proceedings on 18.12.2024, following order was passed:-

“The instant petition under Section 528 of BNSS, 2023, for quashing of the impugned order dated 16.07.2024 (Annexure P-1) passed by learned Additional Sessions Judge, Sonipat, whereby the bail of the petitioner was cancelled and his bail bonds were forfeited in FIR No.75 dated 14.02.2019 registered under Sections 342, 395 and 397 of IPC at P.S. Rai, District Sonipat (Annexure P-2).

2. It is, inter alia, contended by learned counsel for the petitioner that the petitioner, after being granted concession of bail in FIR (Annexure P-2) vide order dated 11.01.2021 (Annexure P-3), had been regularly appearing in the trial Court. Although, on some occasions he had to take exemption by moving a specific application. He contends that on 16.07.2024, the petitioner could not appear before the trial Court due to some urgent domestic work and the absence of the petitioner was not intentional and the petitioner had moved the application seeking exemption from the learned trial Court but the same was dismissed vide impugned order 16.07.2024 (Annexure P-1) and also, the learned trial Court cancelled the bail and issued non-bailable warrants of arrest against the petitioner. He further submits that the petitioner is ready to appear in the trial Court and undertakes to furnish specific undertaking before the concerned Court that he will regularly appear on each and every date of hearing and in case of any exigency, he will seek exemption from the Court in accordance with law.

3. Notice of motion

4. On the asking of the Court, Ms. Gaganpreet Kaur, DAG, Haryana, who is present in Court, accepts notice on behalf of the respondent-State.

5. List on 15.01.2025.

6. In the meanwhile, the petitioner is hereby directed to to appear before the concerned learned Trial Court/Judge on Duty on or before 23.12.2024 and in the event of his arrest, he is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the concerned learned Trial Court/Judge on duty. 7. The petitioner is also burdened with cost of Rs.20,000/- to be deposited with the District Legal Services Authority, Sonipat, as a condition



precedent for his admission to interim bail. 8. The petitioner is further directed to furnish specific undertaking before the concerned Court that he will regularly appear on each and every date of hearing and in case of any exigency, he will seek exemption from the Court in accordance with law.

5. After hearing the submissions made by learned counsel for the petitioner as well as by the learned State counsel and perusing the order dated 21.12.2024 passed by the learned trial Court, it is evident that in compliance to the order dated 18.12.2024 (supra), the petitioner has put in appearance before the learned trial Court and has been admitted to interim bail.
6. Since the petitioner has already put in appearance before the learned trial Court and is facing trial, therefore, without commenting on the merits of the case, interim bail granted to the petitioner is hereby confirmed and the impugned order dated 16.07.2024 (Annexure P-1) is hereby set aside.
7. The present petition is disposed of accordingly.

15.01.2025
amandeep

(SANJIV BERRY)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No