



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

253

CRM-M-64701-2024 (O&M)

Date of Decision:- 10.01.2025

VIRBHAN @ VEERBHAN @ GOLU @ CHOTI

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

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

Mr. Surender Singh, A.A.G. Haryana.

SANJIV BERRY, J. (ORAL)

By way of present petition preferred under Section 528 of BNSS, 2023 the petitioner has sought quashing of impugned order dated 30.05.2024 (Annexure P-3) passed by the Court of learned Additional Sessions Judge, Hisar, whereby the bail of the petitioner was cancelled and warrants of arrest were issued against the petitioner in case FIR No.132 dated 15.03.2021 registered under Sections 147, 148, 285, 506 IPC and 25 of the Arms Act, 1959 (Section 307 IPC added later on) at Police Station HTM Hisar, District Hisar.

2. Learned counsel for the petitioner has submitted that in compliance to the order dated 20.12.2024 passed by this Court, the petitioner has appeared in the Court and furnished his requisite bail bonds. He has placed on record copy of the order dated 07.01.2025, passed by learned



Additional Sessions Judge, Hisar, whereby the petitioner has been admitted on interim bail by the learned trial Court.

3. Learned State counsel has not disputed the aforesaid factum.
4. Heard.
5. During the course of proceedings on 20.12.2024, the following order was passed.

“2. It is, inter alia, contended by learned counsel for the petitioner that the petitioner, after being granted concession of bail in FIR No.132 dated 15.03.2021 vide order dated 06.08.2021 (Annexure P-1), had been regularly appearing in the trial Court, however, on 30.05.2024, neither Virbhan (the petitioner herein) nor his counsel appeared leading to cancellation of his bail and issuance of non-bailable warrants of arrest. He contends that the absence of the petitioner on 30.05.2024 was not intentional and was on account of the fact that his counsel has wrongly noted the date and due to this reason, neither his counsel could appear nor the petitioner. He further submits that the matter is still pending for appearance of the petitioner through nonbailable warrants of arrest and undertakes that if granted concession of bail the petitioner 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 10.01.2025.

6. In the meanwhile, the petitioner is hereby directed to to appear before the learned Trial Court/Judge on duty on or before 07.01.2025 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 trial Court/Judge on duty.

7. The petitioner is also burdened with cost of Rs.10,000/- to be deposited with the District Legal Services Authority, Hisar, 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.”

6. Keeping in view the fact that the petitioner has already appeared in the Court and furnished his requisite bail/surety bonds consequent to the order dated 20.12.2024 passed by this Court, the present petition is allowed. The order dated 30.05.2024 (Annexure P-3) passed by the Court of learned Additional Sessions Judge, Hisar is set aside and the interim bail granted vide order dated 20.12.2024 is hereby confirmed.
7. The petition stands allowed.
8. Pending applications, if any, shall also stand disposed of.

(SANJIV BERRY)
JUDGE

10.01.2025
S.Sharma(syr)

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |