



S. No.143

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

CRM-M-63898 of 2025

Date of Decision:17.11.2025

David Arora

.....Petitioner

Vs.

State of Punjab and another

.....Respondent

CORAM:- HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present:- Mr. S.P.S. Aulakh, Advocate for the petitioner.

Yashvir Singh Rathor, J. (Oral)

1. This is a petition filed under Section 528 of BNSS for quashing/ setting aside of the order dated 16.10.2025 passed by JMIC, Baghapurana in complaint case No.NACT/146/2024 dated 09.09.2024 titled “Ritik Goyal Vs. M/s Blue Coast Immigration Service through its prop. David Arora” vide which the bail bonds and surety bonds of the petitioner/ accused were forfeited to the State, bail order was cancelled and he was summoned through nonailable warrants.

2. I have heard learned counsel for the petitioner and perused the material placed on record.

3. A perusal of the record shows that the petitioner – accused appeared before the Trial Magistrate, Ambala on 12.06.2025 and he was released on bail and, thereafter, case was adjourned to 31.07.2025 for serving notice of accusation, on which date, notice of accusation was served and case was adjourned for mediation and report was awaited for 28.08.2025. However, the mediation failed and on 28.08.2025, the case was adjourned to 25.09.2025 for evidence of complainant. However, on 28.08.2025, petitioner was not present and he had



moved an application for exemption from personal appearance which was allowed. Thereafter, on the adjourned date, i.e. 25.09.2025, another application for exemption from personal appearance was moved on behalf of the accused. Ld. Defence Counsel representing him also did not turn up to cross-examine complainant- Ritik Goyal and case was adjourned to 16.10.2025. On 16.10.2025, petitioner absented and his bail was cancelled.. Record thus shows that petitioner sought exemption from personal appearance on two occasions and his counsel also did not cross-examine the complainant and on 16.10.2025 also, he did not appear and trial Court thus cancelled the bail and forfeited the bonds. Though no fault can be found with the impugned order, yet it is not in dispute that the complainant is at initial stage and instead of cancelling the bail, the trial Court could have adjourned the case to secure his presence.

4. Learned counsel for the petitioner contended that in case he is ordered to be released on bail, he will not seek further adjournments for cross-examination of the complainant and his witnesses and in view of the undertaking given by counsel for the petitioner, it is ordered that petitioner shall be released on bail in the event of his appearance before the trial Court on usual terms and conditions to its satisfaction. However, the petitioner shall pay costs of Rs.10,000/- to the complainant and the bail will be granted subject to payment of costs.

4. Disposed of.

(Yashvir Singh Rathor)
Judge

November 17, 2025
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Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No