



CRM-M-64649-2025

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

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Decided on :17.11.2025

Satish

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Parminder Singh, Advocate for the petitioner.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 482 BNSS, seeking anticipatory bail in case FIR No. 98 dated 21.02.2022, under Sections 323, 325 and 506 IPC, registered at Police Station Israna, District Panipat.

2. Learned counsel for the petitioner submits that petitioner had earlier been granted regular bail in the present case. But, on account of non-appearance of petitioner on 05.01.2023, his bail was cancelled and proceedings under Section 82 Cr.P.C., were initiated. However, he submits that petitioner was under the bona fide impression that his previous counsel was representing him and had not received any prior summons or notice from the Court. Counsel submits that with regard to the summons dated 30.09.2025, petitioner was unable to appear due to illness, a fact supported by the OPD prescription slip placed on record.



Immediately thereafter, he engaged new counsel, who made due inquiries into the matter and became fully apprised of the facts of the case.

Learned counsel for the petitioner submits that facts do not warrant incarceration. Since the investigation is complete, the FIR relates to the year 2022, and the iron rod allegedly used has already been recovered, the foundational requirements for pre-arrest custody are absent. Specifically, nothing is to be recovered from the petitioner, and his custodial interrogation is not required.

Without addressing much on merits, counsel for the petitioner submits that if one opportunity is granted, petitioner is ready and willing to join the proceedings initiated against him, if protected from arrest.

3. Prima facie, present anticipatory bail petition is not maintainable, as this Court does not find any infirmity in the order passed by the trial Court while cancelling the petitioner's earlier bail. Petitioner was initially granted bail but failed to appear, resulting in cancellation of his bail and initiation of proceedings under Section 82 Cr.P.C. Any challenge to that order ought to have been made by seeking its modification or setting aside through appropriate legal remedy. However, considering the explanation furnished by the petitioner regarding his absence and his expressed willingness to now join the process of law, surrender before the Court, and participate in the proceedings without default, this Court deems it appropriate to grant him one final opportunity to regularize his appearance before the trial Court.



4. Consequently, prayer made in the present petition is disposed of. It is directed as under:-

- (i) The petitioner shall surrender before the trial court on or before **05.12.2025**.
- (ii) Costs of Rs.20,000/- shall be deposited by the petitioner in an Old Age Home of the area, as may be decided by the learned Trial Court. For this purpose, the Trial Court shall specify the time frame within which such costs will be required to be deposited, but not more than two weeks, failing which this order would not be of any advantage to the petitioner.
- (iii) Petitioner shall also move an appropriate application for bail before the concerned Court, and he would be released on bail, subject to compliance of deposit of costs of Rs. 20,000/-, as also furnishing of bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.
- (iv) Petitioner would also submit specific undertaking/affidavit that he will keep appearing during the proceedings of the trial in future and the proceedings would not be delayed because of his conduct.
- (v) Petitioner would hand over his passport to the Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any



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passport.

- (vi) Before leaving country any time during trial, petitioner would seek prior permission of the Court.
- (vii) Petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).

8. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

9. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, Trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

10. With aforementioned terms, present petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

17.11.2025

Rashmi

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