



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

125

CRM-M-66650-2025 (O&M)

Date of decision: 28.11.2025

RAMESH KUMAR

....PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. Chand Ram Olla, Advocate for the petitioner.

YASHVIR SINGH RATHOR, J. (ORAL)

1. The present petition has been filed under Section 528 BNSS, 2023 for quashing the order dated 06.10.2022 (Annexure P-3), vide which the bail of the petitioner has been cancelled, his bonds have been forfeited and his arrest warrants have been issued. Alternative prayer has been made that he may be permitted to appear before the concerned Court and the bonds furnished by him be restored and no coercive action be also taken against him.

2. Notice of motion.

3. On the asking of Court, Ms. Vasundhara Dalal Anand, Sr. DAG Haryana, accepts notice on behalf of the respondent-State.

4. I have heard learned counsel for the parties and perused the material record.

5. Perusal of the record reveals that petitioner was held guilty and convicted for the offence under Section 138 of Negotiable Instruments Act by the Court of Judicial Magistrate First Class, Hisar vide judgment dated 10.01.2020. Aggrieved with the same, petitioner filed an appeal before the Appellate Court, which suspended his sentence vide



order dated 10.02.2020. During the pendency of the appeal, petitioner absented on 06.10.2022 and his bail was cancelled and following order was passed:-

“Today the case was fixed for filing reply to application. Case called several times, however, no one has appeared on behalf of appellant Ramesh Kumar. It is already 2:35 PM. Further wait is not justified. Hence, bail bond and surety bond of appellant stands cancelled and forfeited to the state. Now, appellant be summoned through arrest warrant for 16.12.2022. Notice to his surety be also issued for date fixed.”

6. Now, petitioner is seeking quashing of the aforesaid order dated 06.10.2022, after more than three years of cancellation of his bail and forfeiture of bonds, which shows that petitioner has been sleeping over the matter and has hampered the decision of the appeal for so long. Once he absented, learned Appellate Court also had no option except to cancel his bail and to forfeit the bonds. No illegality, thus, has been committed while passing the impugned order and no interference is warranted and the petition in hand is ordered to be dismissed. However, in case, petitioner surrenders and moves an application for bail before the Appellate Court, the same shall be decided either on the same day or on the next day.

7. Accordingly, the present petition stands dismissed with aforesaid direction.

28.11.2025

Vishal Vardhan

(YASHVIR SINGH RATHOR)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No