

CRM-M-69442-2025

2025.PHHC.173589



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

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CRM-M-69442-2025 (O & M)

Date of decision: 11.12.2025

Arman

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Khalid Tauru, Advocate for the petitioner.

AMAN CHAUDHARY, J. (ORAL)

1. The present petition has been filed under Section 528 BNSS for quashing the impugned orders dated 19.08.2025 and 26.11.2025, Annexures P4 and P5, whereby exemption application of the petitioner has been dismissed and proclamation proceedings have been initiated against him.

2. Learned counsel submits that the petitioner was granted bail on 07.02.2022, whereafter, challan was presented and he continued to appear before the trial Court but for 19.08.2025, when an application for exemption of personal appearance had been filed and the same came to be dismissed. Consequently, his bail was cancelled and bail bonds & surety bonds stood forfeited to the State and warrants of arrest were issued against him leading to initiation of proclamation proceedings under Section 82 Cr.P.C. His absence is neither wilful nor deliberate and ready and willing to join the proceedings on or before the next date of hearing

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and prays for grant of one opportunity for him to surrender before the trial Court, even if the same is subject to costs.

3. Notice of motion.

4. At the asking of the Court, Mr. BS Saroha, DAG, Haryana, accepts notice on behalf of the respondent-State and submits that the warrant of arrest has been rightly issued against the petitioner, as he had absented from the proceedings.

5. Heard.

6. The very purpose of issuance of warrant of arrest, is to compel and secure the presence of the accused to face trial and establish the rule of law, as also to ensure finalization of the proceedings.

7. This Court in CRM-M-36490-2022, titled as **Major Singh vs. State of Punjab**, decided on 15.09.2022, CRM-M-38277-2022, titled as **Surjit Singh vs. State of Punjab**, dated 26.08.2022 and CRM-M-39000-2022, titled as **Raghav vs. State of Punjab**, decided on 09.09.2022, had set aside the orders of non-bailable warrants.

8. Considering the facts and circumstances of the case, judgments referred to hereinabove, the readiness and willingness of the petitioner to surrender and join the proceedings, which was incumbent upon him for the culmination of the same, the present petition deserves to be and is allowed, in the interest of justice, so as to facilitate expediting the trial and for taking it to its logical end.

9. As a consequence of the aforesaid, the impugned orders dated 19.08.2025 and 26.11.2025, Annexures P4 and P5, are set aside, subject to surrender by the petitioner before the trial Court on or before 04.01.2026 and payment of costs of Rs.15,000/- to be deposited by

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petitioner with Shri Sanatan Dharma Adhyan Kendra (Regd.), A/c No.9575000100044792. On furnishing bail/surety bonds, the trial Court shall release him on bail subject to its satisfaction. He is also directed to furnish an undertaking by way of an affidavit that he will appear on each and every date of hearing before the trial Court, unless specifically exempted by the Court. He shall not leave the country without prior permission of the Court. The trial Court may impose any other condition that it may deem appropriate in the facts and circumstances of the present case.

10. Before parting with this order, it is made abundantly clear that in case the petitioner does not adhere to the aforesaid, the present petition shall be deemed to have been dismissed without any reference to this Court.

11.12.2025

ashok

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No