



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

120

CRM-M-69869-2025

Date of decision: 12.12.2025

Sandeep

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MS. JUSTICE AARADHNA SAWHNEY

Present: Mr. Mukesh Yadav, Advocate for the petitioner.

AARADHNA SAWHNEY, J (ORAL)

Petitioner, who is accused in case FIR No.125 dated 15.04.2023 under Sections 120-V/216/406/419/420/467/468/471/506 IPC and Section 8(4) of Haryana Police Examination Act, 2021 registered at P.S Sadar Mahendergarh, District Mahendergarh, has assailed order dated 28.05.2024 (Annexure P.10) vide which his bail was cancelled, bail bonds and surety bonds forfeited to the State and his presence was sought to be secured through NBWs.

2. Learned counsel submits that after the concession of bail was granted to the petitioner, he continued to regularly appear before the Court concerned, however, on 28.05.2024, on account of some misunderstanding with regard to the date of hearing, he could not appear before the Court. Resultantly, his bail was cancelled vide impugned order, bail bonds and surety bonds forfeited to the State and his presence was sought to be secured through NBWs. He submits that the absence of the petitioner was not intentional and deliberate. He further submits that the petitioner is willing to join the proceedings on the next date of hearing and prays for grant of one opportunity to the petitioner to surrender before the trial Court.

3. Heard. Contents of the application perused.

Notice of motion.



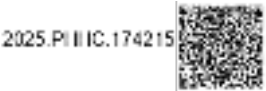
5. At the asking of the Court, Ms. Shweta Nahata, DAG, Haryana, accepts notice on behalf of respondent No.2-State and submits that the non-bailable warrants have been rightly issued against the petitioner, as he had absented himself from the proceedings.

6. The very purpose of issuance of warrant of arrest, is to compel and secure the presence of the accused to face trial. The present petition has been filed on 15.09.2025. Request made by the petitioner seems to be genuine.

7. This Court in CRM-M-36490-2022, titled as **Major Singh vs. State of Punjab, decided on 15.09.2022**, while considering the bonafide of the petitioner and finding the reason for his absence justified, set aside the order issuing non-bailable warrants. In **CRM-M-38277-2022, 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, the orders whereby non-bailable warrants were issued on account of his non-appearance, were set aside on the ground that the same was on account of having noted down the wrong date and failure of his counsel in not intimating the same.

8. In the interest of justice, considering the facts and circumstances of the case and judgments referred hereinabove, the impugned order dated 28.05.2024, Annexure P-10, is set aside.

9. Without commenting upon the merits of the case and in view of the limited prayer made by learned counsel for the petitioner, the present petition is disposed of with a direction to the petitioner to surrender before the trial Court within a period of one week from today. On his doing so, his bail application, if so moved, be decided by the trial Court, in accordance with law, as expeditiously as possible, preferably within a period of two days from the date of filing of the same. He is also directed to furnish an undertaking by way of an affidavit that he



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.

12.12.2025
manoj

(AARADHNA SAWHNEY)
JUDGE

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