



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

130-1

CRM-M-5070-2026 (O&M)

Date of decision: 18.02.2026

R.K. Jain

...Petitioner(s)

VERSUS

The State of Haryana

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Petitioner in person (through V.C.).

Mr. Namit Gautam, Advocate (Amicus Curiae).

VINOD S. BHARDWAJ, J. (Oral)

1. Challenge in the present petition is to the order dated 22.08.2025 (Annexure P-1) whereby bail of the petitioner was cancelled. A further prayer has been made for setting aside the order dated 01.11.2025 (Annexure P-4), whereby further time has been granted to the prosecution to file a reply to the pending application dated 15.04.2024 despite last opportunity.

2. Learned Amicus Curiae contends that the petitioner had also filed a separate CRWP-993-2026. He contends that insofar as the prayer of the petitioner raising a challenge to the order by which his bail was cancelled is concerned, the petitioner thereafter appeared before the trial Court, whereupon he was admitted on bail vide order dated 24.09.2025. He thus submits that the prayer made by the petitioner to the aforesaid extent has

been rendered infructuous. It is further contended that while passing the order dated 22.08.2025, the trial Court had specifically referred to the contents of the email sent by the petitioner. For the facility of reference, however, the same is extracted as under:-

“In continuation of earlier email in respect of legal-injury-consequences arising out of blanket prejudicial order dated 15.5.2025 passed by the magistrate Mr. Vivek Singh in pending CRM129/2024, which has indirectly facilitated the wrong-doers/actual culprits to escape the arm of law, in view of the bogus/Nil-evidence FIR registered to protect them/the documented expose of illegal acts by colleagues, and adjournment of CHI 502/19 straight-away from 28/1/25 to 22/8/25, the matters is liable to be heard/evidence be conducted, upon intimation, today itself, or an adjournment, managed in such prejudicial manner, not more than two weeks, is deserved.”

3. It was recorded by the trial Court, in the context of the email sent, that the averments contained therein were incomprehensible as to whether the same pertained to an exemption or whether they were in relation to a complaint against any order or person. Besides, three prosecution witnesses were present for their testimonies; however, the petitioner did not appear before the Court. It was noticed that even on an earlier date, i.e. 28.01.2025, the witnesses were there, but the petitioner chose not to appear on the pretext that he had to appear before this Court in CRWP-760-2023. It was also recorded that even on 15.04.2024, when three witnesses had come

present, they could not be examined as the petitioner moved an application under Section 311 Cr.P.C. and Section 91 read with Section 246 Cr.P.C., but did not provide a copy of the application to the prosecution. Multiple opportunities were granted to the petitioner to supply a copy of the said application to the prosecution; however, the needful was not done, rather, an application for exemption was moved by way of an email citing that he is busy with certain other petitions and that too without sending a copy thereof to the prosecution.

4. I find that the order dated 22.08.2025 passed by the Judicial Magistrate 1st Class, Jind, cannot be said to be invalid or not based upon correct appreciation; rather, the officer has taken note of the entire conduct before issuing bailable warrants to secure the presence of the petitioner-accused.

5. The prayer to the said extent is accordingly ***dismissed***.

6. Now advertng to the second prayer in relation to the order dated 01.11.2025, the said order merely granted time to the prosecution to file a reply to the pending application under Section 311 Cr.P.C. and Section 91 read with Section 246 Cr.P.C. A perusal of the said order also shows that the petitioner herein had made a prayer that the Station House Officer be examined as a Court Witness first, to be followed by the Investigation Officer, before recording testimony of any other witness. The trial Court recorded that *prima facie*, the submission was not convincing as it is the prerogative of the prosecution to examine its witnesses, and that such terms cannot be dictated by the accused. While passing the order, the Court had only allowed an opportunity to the prosecution to file the reply. While the

petitioner has been contending that time was being granted to the prosecution again and again, a perusal of the order shows that, despite multiple orders and dates having been sought, the petitioner did not supply the copies of the application to the prosecution himself. He thus cannot fasten the delay on the prosecution in non-filing of the reply in such circumstances.

7. The petitioner has emphatically argued that the copy had been supplied as is evident from the document Annexure P-2; however, the said document has been perused. On a reading of the order dated 15.04.2024, it is clearly borne out that the petitioner herein was directed to supply a copy of the application(s) to enable the Public Prosecutor to file reply. The expression "Copy supplied" mentioned in the first paragraph of the order dated 15.04.2024 gets diluted when the order is read as a whole. The extract thereof reads thus:

"xxxxxxx

An application was filed by the accused on 27.03.2024.

The copy of this application was not filed by the accused. Ld.

APP has sought the copy of the application. The accused is directed to supply the copy of the application to Ld. APP enabling him to file the reply. He is given time upto 14.05.2024 for submitting the copy of the said application.

xxxxxxx"

8. Learned Amicus Curiae further submits that even as per the subsequent zimni order dated 03.07.2024, time was granted to the petitioner yet again to supply copy of the applications to the Public Prosecutor. It is

thus evident that the petitioner is encroaching upon judicial time by making unreasonable requests and application(s).

9. The present petition is dismissed, as it relies on words taken in isolation without considering the order in its entirety.

10. Since the main petition is being dismissed by this order, CRM-3718-2026 also stands disposed of.

11. This Court records its appreciation for the assistance rendered by the Amicus Curiae.

(VINOD S. BHARDWAJ)
JUDGE

18.02.2026
Mangal Singh

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