



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

CRM-M-8477-2026

Date of Decision: 17.04.2026

Ashok

..... Petitioner

Versus

State of Haryana

.....Respondent

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

Present: Ms. Rashika Bansal, Advocate for
Mr. Sirat Sapra, Advocate,
for the petitioner.

Mr. Paras Talwar, Sr. DAG Haryana.

Vinod S. Bhardwaj, J. (ORAL)

1. Challenge in the present petition is to the order dated 20.08.2025 passed by Sessions Judge, Rohtak in case titled as “***State of Haryana Versus Bhagat Singh and others***”, in Sessions Case No.91 of 2025 arising out of FIR No. 209 dated 02.07.2024 registered under Section 25(6) of the Arms Act, 1959 at Police Station IMT Rohtak, District Rohtak, whereby bail granted to the petitioner was cancelled and; the order dated 20.01.2026 initiating proclamation proceedings against him.

2. On 13.02.2026, following order was passed by this Court:-

“Present petition has been filed under Section 528 BNSS for quashing of impugned order dated 20.08.2025 (Annexure P-3) passed by Sessions Judge, Rohtak and order dated 20.01.2026 (Annexure P-10) in Sessions Case No.91 of 2025 arising out of FIR No.209 dated 02.07.2024 under Sections 25(6) of Arms Act, 1959 registered at Police Station IMT Rohtak vide which the proclamation proceedings were initiated against the petitioner.



2. *Learned counsel appearing on behalf of the petitioner inter alia contends that the petitioner was granted regular bail by Sessions Court vide order dated 24.10.2024 (Annexure P-2). He further contends that due to unavoidable circumstances, the petitioner could not appear before the trial Court on 20.08.2025. He also submits that petitioner moved an application seeking exemption from his personal appearance, however, the same was rejected and his bail was cancelled and his bail bonds/surety bonds were forfeited to the State vide order dated 20.08.2025 (Annexure P-3). He submits that later on, petitioner was arrested on 01.09.2025 in another FIR No.265/2025 registered at Police Station IMT, Rohtak and is in police custody. The instant petition has thus been filed. He submits that the petitioner shall appear before the Trial Court within a period of 15 days from today so as to show his bona fide.*

3. *Notice of motion.*

4. *Ms. Chhavi Sharma, AAG, Haryana accepts notice on behalf of respondent-State and prays for some time to complete instructions and file reply, if so advised.*

5. *Adjourned to 17.04.2026.*

6. *Reply, if any, be filed on or before the adjourned date with copy in advance to the learned counsel opposite.*

7. *In the meanwhile, the petitioner is directed to appear before the Trial Court within a period of 15 days from today subject to deposit of Rs.20,000/- to be paid by the petitioner with the High Court Legal Services Committee and in the event of his doing so, he shall be admitted to interim bail by the Trial Court on furnishing of bail/surety bonds to its satisfaction. The operation of impugned order dated 20.08.2025 shall be kept in abeyance for 15 days from today, so as to enable the petitioner to appear before the trial Court.”*



3. A perusal of the aforesaid order reveals that the petitioner was granted a period of 15 days to appear before the trial Court and comply with the directions contained therein. However, when the matter was taken up by the trial Court on 12.03.2026, the following order was passed:-

“An application seeking exemption from personal appearance of accused Mukesh has been moved. Heard. For the reasons mentioned in the application, personal appearance of accused Mukesh stands exempted for today.

Proclamation under Section 82 of Cr.P.C. issued against accused Ashok @ Shoki has been duly effected on 21.01.2026. Statement of executing constable SPO Anand Parkash has been recorded and in his statement, he has also tendered his report Ex.PX.

In compliance with the directions issued by the Hon’ble Punjab and Haryana High Court, Chandigarh, vide order dated 08.12.2025 passed in CRM-M No.69037 of 2025, accused Ashok has neither appeared before the Court within stipulated time nor produced any receipt regarding the deposit of Rs.20,000/- with the High Court Legal Services Committee. In view of the above, the case is adjourned to 23.04.2026 for consideration.

Bailable warrant issued against Surender (surety of accused Ashok @ Shoki) received back executed through his wife, namely Kavita, but he has not appeared before the Court. Let, he be summoned through nonbailable warrant through SHO concerned for the date fixed.”

4. Learned counsel appearing on behalf of the petitioner has sought yet another opportunity to enable the petitioner to appear before the



trial Court and to comply with the directions issued by this Court.

5. It is, however, evident that notwithstanding the order passed by this Court granting a period of 15 days’ to the petitioner to appear before the trial Court, the petitioner has chosen neither to appear before the trial Court, nor to deposit the costs, as ordered. The conduct of the petitioner, thus, does not reflect *bona fides*. On the contrary, it, *prima facie*, indicates a deliberate and willful disregard of the orders of this Court. The continued absence of the petitioner before the trial Court appears to be intentional and suggestive of an attempt to evade the judicial process and to protract the proceedings, thereby causing inordinate delay in culmination thereof.

6. Consequently, keeping in view the conduct of the petitioner, he does not deserve the concession.

7. Thus, the present petition is dismissed.

(VINOD S. BHARDWAJ)
JUDGE

17.04.2026

SN

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No