

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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2026:PHHC:049161



CRM-M-14747-2025 (O&M)
Date of decision: 30.03.2026.

SANYAM JAIN

...Petitioner(s)

VERSUS

STATE OF HARYANA AND OTHERS

...Respondent(s)

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

Present :- Mr. Naveen Jhajholia, Advocate,
for the petitioner.

Ms. Chhavi Sharma, AAG, Haryana, assisted by
S.I. Sukhbir Singh, Cyber Crime, Sonipat.

Ms. Gagandeep Kaur, Advocate,
for respondent No.3.

VINOD S. BHARDWAJ, J. (Oral)

CRM-11124-2025

Application is allowed as prayed for subject to all just
exceptions.

Main case

The instant petition has been filed under Section 528 read with Section 483(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023, for seeking cancellation of the bail granted to respondents No.2 to 6 vide orders dated 03.01.2024, 11.01.2024, 01.02.2024 in a case arising out of FIR bearing No.413 dated 14.08.2023, under Section(s) 406, 420, 467, 468, 471 and 120-B of the Indian Penal Code, 1860, registered at Police Station City Ganaur, District Sonipat.

The principal ground raised by the petitioner at the time of filing of instant petition seeking cancellation of bail granted to private respondents No.2 to 6 was to the effect that they had absented themselves from the trial and had not been appearing before the Court.

On asking of the Court, counsel for the petitioner has prepared the chart with respect to the status of the accused persons which is reproduced as under: -

<i>Date of hearing</i>	<i>Amanullah (Respondent No.2)</i>	<i>Tenzin Kunchok (Respondent No.3)</i>	<i>Mumtaz Ahmad Ejaji (Respondent No.4)</i>	<i>Atul Singh (Respondent No.5)</i>	<i>Santosh Pal (Respondent No.6)</i>
<i>13.02.2024</i>	<i>Custody in FIR No. 406, 420 and 120-B IPC</i>	<i>Exemption application allowed.</i>	<i>Present</i>	<i>Exemption application allowed.</i>	<i>Exemption application allowed.</i>
<i>27.03.2024</i>	<i>Custody in FIR No. 406, 420 and 120-B IPC</i>	<i>Present</i>	<i>Exemption application allowed.</i>	<i>Present</i>	<i>Exemption application allowed.</i>
<i>02.05.2025</i>	<i>Custody in FIR No. 406, 420 and 120-B</i>	<i>Exemption application allowed.</i>	<i>Present</i>	<i>Present</i>	<i>Exemption application allowed.</i>

	<i>IPC</i>				
<i>01.08.2024</i>	<i>Custody in FIR No. 406, 420 and 120-B IPC</i>	<i>Exemption application allowed with cost of Rs.500 each.</i>	<i>Exemption application allowed with cost of Rs.500 each.</i>	<i>Exemption application allowed with cost of Rs.500 each.</i>	<i>Exemption application allowed.</i>
<i>09.12.2024</i>	<i>Custody in FIR No. 406, 420 and 120-B IPC</i>	<i>Exemption application allowed.</i>	<i>Exemption application allowed.</i>	<i>Exemption application allowed.</i>	<i>Exemption application allowed.</i>
<i>25.04.2025</i>	<i>Present</i>	<i>Present</i>	<i>Present</i>	<i>Exemption application allowed with cost of Rs.1000/-</i>	<i>Exemption application allowed.</i>
<i>21.08.2025</i>	<i>Present</i>	<i>Present</i>	<i>Present</i>	<i>Bail stands cancelled</i>	<i>Exemption application allowed.</i>
<i>03.10.2025</i>	<i>Present</i>	<i>Present</i>	<i>Present</i>	<i>Absent</i>	<i>Exemption application allowed.</i>
<i>16.12.2025</i>	<i>Present</i>	<i>Exemption application allowed.</i>	<i>Present</i>	<i>Absent</i>	<i>Exemption application allowed.</i>

It is contended that the private respondents/accused had not been appearing before the trial Court on different dates.

I have heard counsel appearing for the respective parties and perused the aforesaid chart.

It is evident that in so far as private respondent No.5/accused Atul Singh is concerned, his bail already stands cancelled by the trial Court vide order dated 21.08.2025. So far as remaining accused persons i.e. private respondents No.2 to 4 and 6 are concerned, they were either present or they had moved an application for exemption, which had been allowed by the trial Court. The orders allowing such an exemption were not assailed or are under challenge before this Court. The position needs no clarification that an

exemption application having been allowed by the Court, cannot be equated to absence of an accused. Consequently, the grounds raised by the petitioner for seeking cancellation of bail viz continued absence of private respondents do not flow from the perusal of the order sheets.

The present petition is accordingly dismissed.

March 30, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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