

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

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**CRR-658-2026 (O&M)
Date of Decision: 12.03.2026**

Parminder Singh Sangwan

...Petitioner.

Versus

Vikas Malhotra

...Respondent.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

Present: Ms. Anu Garg, Advocate and
Mr. V.P. Sangwan, Advocate for the petitioner.

SUKHVINDER KAUR, J.

Present petition under Section 442 BNSS, 2023, has been filed for setting aside the impugned order dated 10.02.2026 passed by learned Additional Sessions Judge, Bhiwani in CRA-25-2020, vide which on account of non-appearance, non-bailable warrants were issued against the petitioner.

The relevant facts of the present case as taken from the present petition are that the petitioner was convicted for simple imprisonment for a period of two years and to pay amount of Rs.4,50,000/- as compensation for commission of offence under Section 138 of N.I. Act by the trial court vide judgment of conviction dated 18.12.2019 and order of sentence dated 19.12.2019. Thereafter being aggrieved against the judgment of conviction the petitioner filed an appeal before the Appellate Court, while taking the ground that the petitioner had already compounded the offence and already paid Rs.6 lacs to the respondent/ complainant and only Rs.1 lac, more were to be paid. On 10.02.2026, the petitioner could not appear before the Appellate Court and moved an application for exemption from personal appearance and the same was dismissed and his bail order was cancelled

and bail/ surety bonds were forfeited to the State and he was ordered to be summoned through non-bailable warrants.

It has been contended by learned counsel for the petitioner that earlier the petitioner was regularly appearing before the Appellate Court and on one occasion he moved an application for exemption of his presence, which was dismissed. It is submitted that absence of the petitioner was not intentional but was due to the reason that he had gone to Jhajjar in the case pending there and only because of this reason, he could not appear before learned Appellate Court on the said date. Learned counsel has submitted that as such, absence of the petitioner was not wilful and intentional and he is ready to surrender before learned Appellate Court. Therefore, the impugned order dated 10.02.2026 be set aside.

Heard.

Considering the facts and circumstances of the present case and to enable the petitioner to join the proceedings pending before the Appellate Court and to expedite the proceedings in trial, the impugned order dated 10.02.2026 is set aside. The petitioner is directed to surrender and appear before the learned trial Court on or before 24.03.2026 and on doing so, he would be released on bail on furnishing his fresh bail/surety bonds to the satisfaction of the Court concerned and with the undertaking to appear regularly before the trial Court on each and every date of hearing and subject to depositing of Rs.5,000/- with DLSA, Bhiwani.

Disposed of in the aforesaid terms.

Pending application(s), if any, shall also stand disposed of.

(SUKHVINDER KAUR)
JUDGE

12.03.2026

<i>Komal</i>	Whether speaking/reasoned?	:	Yes/ No
	Whether reportable?	:	Yes/ No