



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

CRA-S-934-2026

Date of decision: 27.04.2026

ROHIT

...APPELLANT

V/S

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

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

Mr. Surender Singh Pannu, Addl. A.G., Haryana.

SUBHAS MEHLA, J. (ORAL)

1. By way of the present appeal, the appellant is assailing the order dated 08.04.2024 (Annexure A-5), whereby, bail of the appellant was cancelled and his bail bonds were forfeited to State; order dated 23.12.2024 (Annexure A-6), whereby the appellant has been declared as proclaimed person and the order dated 11.03.2026, whereby, regular bail to the appellant has been declined in FIR No.241 dated 19.07.2022 registered under Sections 148/149/323/427/506 of IPC and Section 3 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Amendment 2015) at Police Station Sadar Kanina, District Mahendergarh.

2. Learned counsel for the appellant contended that initially, the appellant was released on bail vide order dated 06.09.2022 by learned Additional Sessions Judge, Narnaul and he was regularly appearing before the trial Court; on 08.04.2024, the appellant could not appear before the trial Court and his bail/surety bonds were cancelled and non-bailable warrants were



issued against him; vide order dated 23.12.2024, the appellant was declared as proclaimed offender and subsequently, he was arrested. The appellant has been in custody since then; the appellant undertakes to abide by all the conditions, which this Court or the trial Court shall deem fit to grant the concession of regular bail to him as trial will take sufficient time to conclude.

As such, learned counsel prayed for grant of regular bail to the appellant.

3. Learned State counsel opposed the prayer made by the appellant, submitting that although, the appellant had earlier been granted concession of regular bail, he intentionally did not appear before the trial Court. As such, learned counsel prayed for dismissal of the present petition.

4. Heard.

5. Given the nature of order this Court proposes to pass, no notice is required to be issued to respondent No.2.

6. Keeping in view the facts and circumstances of the present case and taking into consideration the fact that the earlier, the appellant was released on bail after considering the merits of the his case, but he misused the concession of bail and did not appear before the trial Court; the appellant is in custody; trial will take sufficient time to conclude and no fruitful purpose would be served by keeping the appellant in custody for any further period, as concession of bail cannot be denied just as a measure of punishment as culpability of accused is to be decided after appreciating evidence adduced by both the parties and it is a trite principle of criminal jurisprudence that bail is rule, jail is an exception, this Court deems it a fit case to grant the concession of regular bail to the appellant.



7. Therefore, without expressing any opinion on the merits of the case, the instant appeal is allowed. The appellant is ordered to be released on regular bail on his furnishing requisite fresh bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned. The trial Court is directed to impose such conditions, as it deems fit, to secure the presence of petitioner.

April 27, 2026
manisha

(SUBHAS MEHLA)
JUDGE

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| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |