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

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Decided on : 22.05.2026

Naveen Rana**.....Petitioner**

Versus

State of Haryana and anr**.....Respondent****CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

Present: Mr. Saransh Sabharwal, Advocate for the petitioner.

Mr. Parveen Kumar, Addl. A.G., Haryana.

SANJAY VASHISTH, J.

1. Petitioner, namely Naveen Rana, aged 48 years, has filed the present petition under Section 528 of the BNSS, 2023, seeking quashing of the order dated 01.05.2026 (P-2) passed by the learned Judicial Magistrate First Class, Panchkula whereby the bail of the petitioner was cancelled, his bail bonds were forfeited to the State, and non-bailable warrants were issued against him, along with all consequential proceedings arising therefrom.

2. Learned counsel for the petitioner submits that petitioner has been regularly appearing before the learned Trial Court in the complaint case under Section 138 of the Negotiable Instruments Act, 1881 titled

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“Col. Romesh Chander vs. Naveen Rana”, pending before the learned Judicial Magistrate First Class, Panchkula and now fixed for 27.05.2026.

Learned counsel for the petitioner further submits that on 01.05.2026, petitioner could not appear before the learned Trial Court as he was suffering from heat stroke and was medically unwell. He immediately informed his local counsel telephonically, who moved an exemption application for his personal appearance. However, learned Trial Court, without appreciating the genuine and bona fide reason, declined the exemption application, cancelled the bail of the petitioner, and issued warrants of arrest along with forfeiture of bail bonds vide order dated 01.05.2026 (Annexure P-2).

It is further submitted that the petitioner has never misused the concession of bail and the trial is at the stage of defence evidence since 2022. Petitioner is ready and willing to surrender before the learned Trial Court and face further proceedings in accordance with law.

In these circumstances, petitioner prays for setting aside the order dated 01.05.2026 (P-2), as well as all consequential proceedings arising therefrom.

3. Notice of motion.

4. Learned State counsel puts an appearance, and opposes the request of the petitioners by submitting that petitioners do not deserve any sympathy. Learned State counsel further submits that looking at their conduct, there is no surety that in future, petitioners would not be absent for the purpose of delaying the trial.

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5. In number of cases, this Court has been experiencing the situation wherein, accused stopped appearing before trial Court in the criminal cases after being released on bail and thereby compelling the Court to issue non-bailable warrants by cancelling the bail already granted or such accused has been declared 'Proclaimed Person'/Proclaimed Offender'. After examining the facts from several cases, this Court has formulated and applied a uniform method by satisfying itself that such accused would appear before the concerned Court, to enable it to proceed further, instead of delaying the proceedings to await the presence of accused.

Intentional or unintentional default of the accused can be dealt with by examining the facts from case to case in which he is involved, and where it is realised that absence or prolonged absence of such accused is intentional to evade the process of law, he/she can be penalized after examining the nature of crime in which he is facing the proceedings and thereupon by imposing some cost amount subject to his/her capacity to pay.

Primary object of every Court is only to examine the commission of crime in question before it *vis a vis* the person/accused, who is subjected to such proceedings, and if possible justice be imparted at the earliest without unnecessary delay. It is not expected that undue time would be devoted in securing the presence of absconded accused and also to waste energy by enforcing the special mechanism to arrest such accused.



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Considering all such aspects, this Court in the case of ***Ashish Kumar Honda @ Ashish Handa Vs. State of Punjab, 2022 (4) RCR (criminal) 765; Law Finder Doc Id # 20238111*** considered similar plea of appearance, expressed at the instance of the accused, who failed to appear before the Court at appropriate time, and observed that:

“paramount consideration of the Court is to secure presence of accused on each and every date for speeding up the trial for its final conclusion. Already Courts are flooded with so much litigation, resulting in slow pace of work, because of more than one reason. The required energy and manpower be used for expediting the proceedings of the Court, instead of running after the accused persons to get hold of them.”

Again, this Court has considered the aforementioned similar plea in case ***Veena @ Veena Devi v. State of Punjab (CRM-M-2206-2025, decided on 16.01.2025)***.

6. I have considered the submissions of both sides and examined the relevant material available on record.

7. In the totality of the circumstances, this Court is of the view that the petitioner deserves to be afforded one opportunity to appear before the learned Trial Court so that the proceedings may resume and continue smoothly. Accordingly, the plea of the petitioner is accepted. Impugned order (supra) is set aside to the extent of issuance of non-bailable warrants against the petitioner. Petitioner is directed to appear before the learned Trial Court concerned on or before **27.05.2026**.

8. Petitioner shall also furnish fresh bail bonds/surety bonds to the satisfaction of the trial Court/ Duty Magistrate, in case the bail bonds have already been forfeited. Besides, petitioner would also submit specific undertaking/affidavit that he will keep appearing during the



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proceedings of the trial in future and the proceedings would not be
delayed because of his conduct.

9. With aforementioned terms, present petition stands disposed
of.

(SANJAY VASHISTH)
JUDGE

22.05.2026
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Whether Speaking/Reasoned:	YES/NO
Whether Reportable:	YES/NO