2026:PHHC:088451

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

140 **CRM-M-34911-2026**
Date of decision : 01.07.2026

PRADEEP KUMAR ALIAS PARDEEP ALIAS BINDIA

..... PETITIONER

VERSUS

STATE OF HARYANA

..... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present : Mr. Mayank Goyal, Advocate
for the petitioner (Through V.C).

Mr. Ramender Singh Chauhan, AAG, Haryana.

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SURYA PARTAP SINGH. J.(Oral)

1. This petition, under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, hereinafter being referred to as 'BNSS', has been filed for quashing of order dated 12.03.2026, (Annexure P-5), passed by the Court of learned Additional Sessions Judge, Sirsa, hereinafter being referred to as 'trial Court' only. By virtue of abovementioned order, the bail of petitioner was cancelled and the bail bonds of the petitioner have been forfeited. Thus, to procure the presence of the petitioner in the Court his warrant of arrest has been issued.

2. **Notice of motion.**

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3. Since advance notice has already been served upon the State, Mr. Ramender Singh Chauhan, AAG, Haryana, has appeared on behalf of respondent-State. Hence, service of notice upon the State is hereby dispensed with. However, no formal reply has been filed by the State and the learned State counsel has opted to orally oppose the present petition.

4. It has been contended by learned counsel for the petitioner that the petitioner was regularly appearing before the learned trial Court, but, on 12.03.2026 he could not appear before the learned trial Court due to met with a sudden and unfortunate accident. As per learned counsel for the petitioner, in the abovementioned circumstances, the impugned order was passed, which deserves to be quashed.

5. The record has been perused. Once it is an admitted fact that the petitioner was not present before the learned trial Court, in compliance with the conditions imposed in the bail order, it is hereby held that the learned trial Court was left with no option but to cancel the bail order, forfeit the bail bonds and issue warrant of arrest against the petitioner. Since apparently, there is no illegality in the abovementioned order, there is no scope of interference in the impugned order.

6. At this stage, learned counsel for the petitioner has sought liberty for the petitioner to surrender before the learned trial Court and move an application for bail. The learned counsel for the petitioner has prayed for a direction to the learned trial Court to dispose of the bail application, to be moved by the petitioner, in a time-bound manner.

7. In view of above, the present petition is hereby ***disposed of*** with a direction to the petitioner to surrender before the learned trial Court

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within a period of fifteen days. If he surrenders before the learned trial Court and moves an application for bail, the learned trial Court is directed to dispose of the bail application within two days. It is, however, clarified that the learned trial Court in the exercise of its discretion shall be at liberty to take the petitioner into custody and/or impose penalty under Section 491 of BNSS (erstwhile Section 446 of Cr.P.C), as per law.

(SURYA PARTAP SINGH)
JUDGE

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Whether speaking/reasoned : Yes
Whether Reportable : No

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