

2026:PHHC:042089



163 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-72554-2025
Date of Decision:17.03.2026

Gurmeet Singh ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MS. JUSTICE AARADHNA SAWHNEY

Present: Mr. Nikhil Mittal, Advocate
for the petitioner.

Mr. Vishal Singh, AAG, Haryana.

AARADHNA SAWHNEY, J. (ORAL)

1. Challenge in the present petition is to the order dated 25.09.2025 (Annexure P-2) passed by the Ld. ASJ, Kurukshetra in a criminal appeal No.43 of 2020 titled as “Gurmeet Singh Vs. State of Haryana” in FIR No.55 dated 28.08.2012 under Sections 406, 420, 467, 468, 471 IPC, Police Station Jhansa, District Kurukshetra, vide which during pendency of the appeal, on account of non-appearance of the petitioner, his bail was cancelled. Bail bonds/surety bonds were also cancelled and forfeited to the State. His presence was sought to be procured through NBWs.

2. Relevant facts as emerging from documents on record be noticed hereinbelow:-

Petitioner was convicted u/s 417, 467, 468, 471 IPC in terms of the judgment dated 14.01.2020/16.01.2020 passed by the Ld. Trial Court, Kurukshetra and was sentenced in the following terms:-

Name of convict	Under Section	Sentence	Fine	Default sentence
Gurmeet Singh	417 IPC	R.I. for a period of 01 year	Rs.1000/-	---
	467 IPC	R.I. for a period of 02 years	Rs.1000/-	---
	468 IPC	R.I. for a period of 02 years	Rs.1000/-	---
	471 IPC	R.I. for a period of 02 years	Rs.1000/-	---

Aggrieved of the said findings, petitioner filed an appeal before the Ld. ASJ, Kurukshetra.

3. Learned counsel contends that vide order dated 13.02.2020, learned Appellate Court suspended the sentence of the petitioner and admitted him to the relief of bail. Subsequently, petitioner could not appear before the Court on 12.09.2025 on account of certain unavoidable reasons, thus an application seeking personal exemption from appearing in the Court, was moved. The same was allowed and the case was adjourned for 25.09.2025. Even on the said day, petitioner could not appear before the Court. However, on this occasion, his application seeking exemption from appearance was dismissed and the impugned order was passed. Learned counsel further contends that petitioner is willing to immediately surrender before the Court concerned and undertakes to continuously appear before the Ld. Appellate Court.

4. Heard. Documents on record perused.

5. Recently the Hon’ble Supreme Court in similar factual scenario in ***Meenakshi Vs. State of Haryana and another (SC): Law Finder Doc Id#2840155*** held that there is no requirement for accused to appear on each and every date of hearing before the Appellate or the Revisional Court after the suspension of sentence and grant of bail. It was further held that Appellate

Court or the Revisional Court should hear the appeal on merits or allowed the accused to make alternative arrangements if counsel is not assisting the Court.

6. In the interest of justice, considering the facts and circumstances of the case and judgments referred hereinabove, the impugned order dated 25.09.2025 (Annexure P-2) passed by the Ld. ASJ, Kuruksehtra, is set aside. Petition is disposed of with a direction to the petitioner to appear before the Court concerned within a period of 15 days from today. In case, he surrenders before the court concerned within a period mentioned above, he be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate/Trial Court concerned. The Appellate Court is directed to proceed further with the proceedings with the assistance of the both the learned counsel appearing for petitioner-accused and respondent-complainant. If need so arises, legal aid counsel be appointed.

7. Disposed of in above terms.

17.03.2026
Parveen kumar

(AARADHNA SAWHNEY)
JUDGE

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