



CRM-M-30775-2025

-1-

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

146

CRM-M-30775-2025

Date of decision : 29.05.2025

Avesh @ Sandhu

... Petitioner

Versus

State of Haryana

.. Respondent

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. Neeraj Yadav, Advocate for the petitioner.

H.S. Grewal, J.(Oral)

1. This petition has been preferred by the petitioner, under Section 528 of BNSS, 2023, seeking quashing of the orders dated 11.10.2022, 10.01.2023, 17.03.2023, 17.08.2023, 08.08.2024 , 18.11.2024 and 06.05.2025 (Annexures P-2 to P-8 respectively) passed by the learned Judicial Magistrate 1st Class, Rewari in case FIR No.27 dated 06.02.2020, registered under Sections 148, 149, 323, 506 IPC, at Police Station Rampura, District Rewari whereby the bail bonds of the petitioner have been cancelled and publication of proclamation under Section 82(1) Cr.P.C. has been issued against him.

2. Learned counsel for the petitioner submits that the petitioner has been regularly appearing before the trial Court but on 11.10.2022, he could not appear as he was not aware of the date fixed before the trial Court and on that day, his bail was cancelled and non-bailable warrants had been issued against him. He further submits that the trial Court, without following the procedure

**CRM-M-30775-2025****-2-**

under Section 82 Cr.P.C., has issued proclamation against the petitioner vide the impugned order dated 18.11.2024 (Annexure P-7), which is unsustainable under the law. Learned counsel also submits that the petitioner undertakes to appear before the trial Court concerned on each and every date and would not absent himself without prior permission of the trial Court. It is, therefore, prayed that the petitioner may be permitted to surrender before the learned trial Court to attend the trial proceedings continuously and the impugned order may be set aside.

3. Notice of motion to the respondent.

4. At the asking of the Court, Mr. Parveen Aggarwal, DAG, Haryana, accepts notice on behalf of the respondent and upon instructions, submits that the petitioner is not entitled for the relief as proper procedure under Section 82 Cr.P.C. has been followed while the petitioner has intentionally evaded his presence in order to delay the trial proceedings.

4. I have heard learned counsel for the parties and gone through the case file.

5. In view of the submissions of learned counsel for the parties and keeping in view the fact that the petitioner has intentionally evaded appearance, this Court is not inclined to quash the impugned orders passed by the trial Court and the petition stands dismissed.

7. However, in case the petitioner surrenders before the learned trial Court within seven days from now and moves an application for bail, the same



CRM-M-30775-2025

-3-

shall be considered and decided by the trial Court within 03 days thereafter in accordance with law.

29.05.2025
A.Kaundal

(H.S.GREWAL)
JUDGE

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