



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

(137)

**CRM-M-21742-2026
Date of Decision: 21.4.2026**

Guddi Devi and another

.....Petitioners

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Chandan Kumar, Advocate for
Mr. Naresh K. Chhokar, Advocate
for the petitioner.

KIRTI SINGH, J. (ORAL)

1. The present petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing the impugned order dated 02.2.2026 (Annexure P-4), passed by learned Additional Sessions Judge, Fast Track Special Court (POCSO), Faridabad, in case FIR No. 237 dated 24.5.2023, under Sections 376, 323, 506, 509, 204, 120-B IPC, Sections 6 and 21 of the POCSO Act, Section 67-A of IT Act, Section 9 of Prohibition of Child Marriage Act, Section 204 IPC and Sections 10 and 11 of Prohibition of Child Marriage Act (added later on), registered at Police Station Kheripul, District Faridabad, whereby the regular bail granted to the petitioners, has been cancelled

2. Learned counsel for the petitioners submits that vide order dated 08.10.2024 (Annexure P-2), the petitioners were granted the concession of regular bail by the learned Additional Sessions Judge, Fast Track Special Court, Faridabad. However, vide impugned order dated 02.2.2026, the bail granted to the petitioners was ordered to be cancelled and



the surety bonds were ordered to be forfeited to the State while observing that an adjournment was sought by the learned counsel for the accused/petitioners on the ground that they had left the Court premises. Further, vide order dated 13.2.2026 warrants of arrest were issued against the petitioners. Learned counsel submits that the petitioners had been regularly appearing before the learned trial Court and also duly attended the Court proceedings on 02.2.2026 and left the Court premises as instructed by their counsel. It is further submitted that the impugned order was passed by the learned trial Court, without issuing prior notice to the petitioners. It has also been submitted that the absence of the petitioners was neither intentional nor deliberate, and that they are ready to appear before the trial Court and abide by all the terms and conditions as may be imposed upon them by the trial Court.

3. Notice of motion.

4. Mr. Anmol Malik, DAG, Haryana accepts notice on behalf of respondent-State.

5. Heard.

6. The objective of the coercive mechanism prescribed under the criminal manual is to ensure that the accused persons remain present before the Court to receive the orders and punishments as are passed qua them. Since the petitioners/accused are expressing their *bona fide* to appear before the Court as and when required, then it would not be unjustified to protect them from being arrested.

7. In view of the above, the present petition is allowed. Order dated 02.2.2026 (Annexure P-4) along with all consequential proceedings emanating therefrom are hereby set aside. The petitioners would duly appear before the learned trial Court on the next date of hearing before it and



file appropriate application for bail. The trial Court would release the petitioners on bail on the same bail bonds and surety bonds. No coercive action would be taken against the petitioners till then. In case, the petitioners fail to comply with the aforesaid direction within stipulated period then this order would be of no avail to the petitioners.

8. Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

April 21st, 2026
Gurpreet Singh

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