CNR No: PHHC011514722026
2026:PHHC:127802

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

144 CRM-M-51072-2026 (O&M)
Date of Decision: 10.09.2026

Puneet Beriwala @ Punit Beriwala …Petitioner

V/s

Divisional Forest Officer …Respondent

CORAM : HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Kunal Dawar, Senior Advocate with
Mr. Mayank Aggarwal, Advocate and
Mr. Anshu Kumar, Advocate, for the petitioner.

Mr. Amit Sahni, Addl. Advocate General, Haryana

***

VIKRAM AGGARWAL, J (ORAL)

The present petition, preferred under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'the BNSS'), assails the orders dated 07.09.2024 (Annexure P-7), 17.01.2025, 03.05.2025, 22.09.2025 and 15.05.2026 (Annexure P-8) passed by the Court of Judicial Magistrate Ist Class, Gurugram.

2. The petitioner was an accused in a complaint filed by the District Forest Officer, Gurugram before the Special Environmental Court, Faridabad. He was appearing in the said Court till 13.03.2024. On 02.08.2024, an administrative order was passed by the High Court stating that all cases pending in the Special Environmental Court would stand transferred to their respective Sessions Divisions. Accordingly, the complaint was transferred to the Sessions Division, Gurugram. The Court at Gurugram took up the matter on 07.08.2024 and since the petitioner was not present, the same was adjourned to 07.09.2024. On 07.09.2024 also since the petitioner did not appear, his bail was cancelled and non-bailable warrants were issued to procure his presence. Thereafter, on subsequent dates also since non-bailable

VIKAS CHANDER
2026.09.10 18:31
I attest to the accuracy and
integrity of this document

warrants could not be executed, they were ordered to be issued again. The last order on record is of 15.05.2026 wherein, it is recorded that non-bailable warrants had been received back unexecuted and the matter was adjourned to 11.09.2026.

3. Learned Senior Counsel submits that the absence of the petitioner was on account of the administrative decision which did not come to the notice of the petitioner. He submits that the petitioner is willing to appear before the Court concerned but apprehends that the moment the petitioner surrenders, he shall be taken into custody.

4. Notice of motion.

5. On the asking of the Court, Mr. Amit Sahni, Addl. Advocate General, Haryana, accepts notice on behalf of the respondent-State.

6. I have considered the submissions made by learned counsel for the parties.

7. There is no justification for the petitioner not having appeared before the Court concerned for two years. However, the fact remains that the matter is being adjourned for the presence of the petitioner and non-bailable warrants are not being executed. The matter is now listed before the trial Court on 11.09.2026 and is lingering on for a long time.

8. Keeping in view the aforestated facts and circumstances, the present petition is allowed. The petitioner is directed to cause appearance before the Court concerned on 11.09.2026. In the event of a bail application being filed, the petitioner shall be released on bail, on his furnishing bail and surety bonds to the satisfaction of the Court concerned. However, keeping in view the conduct of the petitioner, costs of Rs.25,000/- are imposed, which shall be deposited by the petitioner with the District Legal Services Authority,

VIKAS CHANDER
2026.09.10 18:31
I attest to the accuracy and
integrity of this document

Gurugram.

9. The petition is accordingly disposed of in the aforesaid terms.

(VIKRAM AGGARWAL)
JUDGE

September 10, 2026
vcgarg

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

VIKAS CHANDER
2026.09.10 18:31
I attest to the accuracy and
integrity of this document