



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

**CRM-M-15491-2025  
DECIDED ON: 20.03.2025**

**BHADUR SINGH**

**.....PETITIONER**

**VERSUS**

**STATE OF PUNJAB**

**.....RESPONDENT**

**CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Amit Sharma, Advocate  
for the petitioner.

Mr. Jaspal Singh Guru, AAG Punjab

**SANDEEP MOUDGIL, J (ORAL)**

This is a petition under section 528 Bhartiya Nagrik Suraksha Sanita, 2023 for quashing of impugned order dated 08.01.2025 (Annexure P-3) passed by the court of Learned Additional Session Judge Ludhiana vide which non-bailable warrant was issued, bail bonds were cancelled and notice to surety was issued for 04.02.2025, impugned order dated 04.02.2025 (Annexure P-4) vide which fresh non-bailable warrant was issued and notice to surety was issued for 03.03.2025 as earlier non-bailable warrant was not issued to the petitioner and impugned order dated 03.03.2025 (Annexure P-5) vide which fresh non-bailable warrant was issued and notice to surety has been issued for 25.03.2025 in FIR No.90 dated 23.04.2022 under section 379B (2) and 34 of Indian penal code 1860 in police station Salem Tabri in District Ludhiana.

The learned counsel for the petitioner submits that the petitioner has been consistently attending the proceedings before the trial Court. However, on 08.01.2025, due to illness, the petitioner was unable to appear, which resulted in the cancellation of his bail and the issuance of non-bailable warrants for 04.02.2025. Subsequently, owing to his ongoing illness, the petitioner was unable to make contact with his counsel and, as a result, was unaware of the scheduled date. Consequently, the petitioner failed to appear before the trial Court on 04.02.2025. He therefore, asserts that his absence before the trial Court is neither intentional, nor deliberate, but due to circumstances which were beyond his control.

Learned counsel for the petitioner having instructions would submit before this Court that the petitioner is ready and willing to join the trial proceedings and will surrender before the trial Court.

Be that as it may in all the fairness once the petitioner has undertaken to surrender and facilitate the progress of trial proceedings, there is no occasion for this Court to go ahead on merits and legality of the orders passed by the trial Court annexed at Annexure P-3 to P-5.

The petitioner shall surrender before the trial Court with one week and in case he moves an application seeking regular bail, the same be considered by the Court below preferably on that very day in accordance with law.

This Court is also sanguine of the fact that due to absence may be on account of the reasons, as has been detailed in the petition and submitted before this Court during the course of hearing, the fact remains that trial has been delayed unnecessarily.

As a penalty for causing delay in the judicial process, the petitioner is penalized with a penalty of Rs.10,000/-, which shall be paid to the Punjab &

Haryana High Court, Bar Association, Chandigarh, a receipt of which shall be produced before the trial Court at the time of surrender.

The amount so deposited by the petitioner shall not be construed as cost for this order but penalty for stalling the court proceedings by evading himself from trial for a long time.

The petition stands disposed off in the aforesaid terms.

20.03.2025

Meenu

(SANDEEP MOUDGIL)  
JUDGE

|                                  |               |
|----------------------------------|---------------|
| <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether reportable</i>        | <i>Yes/No</i> |