

**CRM-M-32817-2025**

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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-32817-2025****Date of decision: 25.06.2025**

Makhan Singh @ Kala

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARIPresent: Mr. Dhiraj Jindal, Advocate,
for the petitioner.

KULDEEP TIWARI, J. (Oral)

1. Through the instant petition, filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, challenge is thrown to the order dated 05.06.2025 (Annexure P-4), passed by the learned Judge, Special Court, Sangrur, in case No.NDPS/661/2019 titled as 'State of Punjab Vs. Makhan Singh, in FIR No.160, dated 03.07.2019, under Sections 22/61 of NDPS Act, 1985, registered at Police Station Lehra, District Sangrur (Annexure P-1), wherein, bail bonds/surety bonds furnished by the petitioner were cancelled and forfeited to the State and non-bailable warrants of arrest have been issued against him.

2. Learned counsel for the petitioner submits that the petitioner was earlier granted the relief of interim regular bail by learned Additional Sessions Judge, Sangrur, vide order dated 14.08.2019 (Annexure P-2), which was made absolute subsequently vide order dated 30.11.2019 (Annexure P-3), as the recovery made in the instant matter falls within the ambit of non-commercial category. He further submits that the petitioner was continuously appearing before the learned trial Court



concerned. However, on account of non-appearance of the petitioner on 05.06.2025, his bail bonds/surety bonds were cancelled and forfeited to the State and non-bailable warrants were issued against him.

3. He asserts that though, the petitioner made efforts to challenge the legality of the order (supra), however, he could not succeed. It is submitted that the petitioner has no intention to run away from the clutches of law. Rather, he submits that if the petitioner is granted adequate protection, he is ready and willing to join the proceedings before the learned trial Court concerned, and shall file an appropriate application for regular bail, and therefore, the learned trial Court be directed to decide the same, most expeditiously.

4. Notice of motion.

5. Mr. Sahil R. Bakshi, learned Assistant Advocate General, Punjab, waives service and accepts notice, and opposes the prayer made by learned counsel for the petitioner. He submits that since the petitioner is playing delaying tactics in trial, he may not be protected under the garb of challenging the impugned order.

6. This Court has considered the rival submissions made by the learned counsel for both the parties.

7. Undoubtedly, learned counsel for the petitioner has failed to point out any perversity or illegality in the impugned order. However, in order to ensure early conclusion of the trial, this Court deems appropriate to direct the petitioner to surrender before the learned trial Court concerned within 10 days, from the date of passing of this order.

8. In case, the petitioner causes his appearance before the learned trial Court concerned, within the stipulated time, and files an



appropriate application for regular bail, the latter concerned shall decide the same, on the day itself, after giving due opportunity of hearing to the parties concerned.

9. In the meanwhile, the non-bailable warrants issued against the petitioner are ordered to be kept in abeyance.

10. However, in case, the petitioner fails to appear before the learned trial Court concerned within stipulated time period, the interim protection granted hereinabove, *qua* his arrest shall *ipso facto* be vacated, without any further reference to this Court.

11. **Disposed of** accordingly.

(KULDEEP TIWARI)
JUDGE

25.06.2025
Ak Sharma

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