



CRM-M No. 37032 of 2025 1

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M No. 37032 of 2025 (O&M)
Date of Decision: 11.08.2025

Mandeep Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR**Present:** Mr. Arshvir Singh Sandhu, Advocate for the petitioner.

Mr. Gorav Kathuria, DAG, Punjab.

YASHVIR SINGH RATHOR, J.(Oral)

1. The present petition has been instituted under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for quashing of order dated 06.02.2025 (Annexure P-1) passed by the Court of learned Additional Sessions Judge, SAS Nagar, Mohali in FIR No.133 dated 15.06.2024 registered under Sections 379-B, 379, 411 and 201 read with Section 34 of Indian Penal Code, 1860 (for short, 'IPC') at Police Station Balongi, SAS Nagar vide which bail and surety bonds furnished by the petitioner have been cancelled and forfeited on account of his non-appearance.

2. Upon notice, learned State counsel has appeared and both the parties have been heard.

3. A perusal of order dated 06.02.2025 shows that notice issued to petitioner-Mandeep Singh was received back unserved with the report that his house was found locked. Learned trial Court observed that accused was intentionally evading his appearance and cancelled & forfeited the bail and



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surety bonds furnished by him and ordered issuance of non-bailable warrants against him. However, once house was found locked, the learned trial Court should not have adopted coercive means by cancelling the bail and surety bonds. Rather, other means like issuance of bailable warrants etc. should have been adopted or at least, notice to his surety could have been issued calling upon him to produce the accused. Learned trial Court thus acted in haste while ordering cancellation of bail and surety bonds. Even otherwise, the matter was not fixed for any substantive purpose like examination of prosecution witnesses. Rather, it was fixed for appearance of co-accused- Jatinder Singh by way of production warrants and non-bailable warrants had also been against another accused, namely, Amanpreet Singh.

4. In these circumstances, the absence of petitioner cannot be termed as intentional so as to prolong the proceedings and no useful purpose will thus be served by sending the petitioner in custody.

5. In view of the aforesaid discussion, present petition is accepted and order dated 06.02.2025 (Annexure P-1) is hereby set aside and petitioner is ordered to be released on bail in the event of his appearance before the trial Court within 15 days from today. Non-bailable warrants issued against him shall be recalled. It is made clear that in case petitioner fails to appear before the trial Court within 15 days, this order shall come to an end.

11.08.2025
Rajeev (rvs)

(YASHVIR SINGH RATHOR)
JUDGE

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