



CRM-M-40064-2025

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

CRM-M-40064-2025

Date of Decision: 28.07.2025

Kulwinder Singh @ Kinder

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Ms. Suresha Rani, Advocate for
Mr. Vishavjeet Singh Brar, Advocate, for the petitioner.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for quashing of the impugned order dated 06.05.2025 (Annexure P-2) and the order dated 02.06.2025 (Annexure P-3) vide which arrest warrants have been issued against the petitioner due to his non-appearance before the trial Court in a case FIR No.177, dated 09.07.2018, under Section 22(C) of the NDPS Act, 1985, registered at Police Station Dabwali Sadar, District Sirsa.

2. It has been contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. He submits that the petitioner was granted regular bail by learned trial Court vide order dated 21.08.2018 and thereafter, he was regularly appearing before the trial Court. He submits that due to noting of wrong date, the petitioner could not appear before the trial Court on 06.05.2025 and hence, his bail was cancelled as well as bail/surety bonds were forfeited to the State and he was ordered to be summoned through warrant of arrest. He submits that absence of the petitioner was totally unintentional and due to the circumstances beyond his control. He further submits that the petitioner is ready to appear before the trial Court and abide by all the terms and conditions, if any



imposed by this Court.

3. Notice of motion.

4. Mr. Sumit Jain, Addl. AG, Haryana accepts notice on behalf of the State and has opposed the submissions made by counsel for the petitioner. He has submitted that learned trial Court has rightly cancelled the bail of the petitioner, as he intentionally did not appear before it, on the date fixed.

5. After hearing learned counsel for the parties and perusing the record, it is evident that due to non-appearance of the petitioner on 06.05.2025, his bail was cancelled and his bail bonds/surety bonds were forfeited to the State and he was ordered to be summoned through warrants of arrest. The reason for non-appearance before the Court on the date fixed, as given by the petitioner is noting of wrong date. The Court without going into the authenticity of the ground taken for the absence of the petitioner, deems it appropriate to direct the petitioner to appear before the Court concerned to face the trial in the present case. In these circumstances, when the petitioner is ready to join the trial and face the proceedings, the order dated 06.05.2025 is set aside

6. The petitioner is directed to appear before the trial Court within a period of seven days from today and file an appropriate application and the trial Court would grant him bail till the disposal of the case on his furnishing fresh bail/surety bonds to its satisfaction. The petitioner will have protection from arrest for a period of seven days from today. The trial Court is free to impose any condition on the petitioner while admitting him to bail.

7. Needless to say that in case the petitioner fails to comply with

the abovesaid direction, this order would be of no avail to him and the order dated 06.05.2025 will come in force and the present petition shall be deemed to have been dismissed.

8. Petition stands disposed of in abovesaid terms.

28.07.2025			(RAJESH BHARDWAJ)
sharmila			JUDGE
	Whether Speaking/Reasoned	:	Yes/No
	Whether Reportable	:	Yes/No