



142

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

CRM-M-54419-2025

Date of Decision: 16.10.2025

Manish Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE AARADHNA SAWHNEY

Present: Mr. A.S. Grewal, Advocate, for the petitioner.

Mr. Jatinder Pal Singh, Sr. DAG, Punjab.

AARADHNA SAWHNEY, J. (ORAL)

1. Petitioner, an accused in case FIR No.162 dated 12.06.2023, u/s 21(b) of the NDPS Act, PS STF, District STF Wing (Annexure P-3), has assailed the order dated 28.03.2025 (Annexure P-1) passed by the Ld. ASJ, Bathinda, vide which on account of his absence from the Court, on the day fixed for hearing, his bail was cancelled, bail bonds/surety bonds were cancelled and forfeited to the State. His presence was sought to be procured through NBW.

2. Learned counsel for the petitioner contends that absence of the petitioner from the Court on 28.03.2025 was not intentional but was on account of miscommunication between the petitioner and his counsel. Learned counsel further submits that since grant of bail, petitioner never misused the concession of bail, except when on 28.03.2025, he could not appear before the concerned Court. Learned counsel further submits that petitioner is ready and willing to surrender before the Court concerned.

3. Heard. Documents on record perused.

4. This Court in CRM-M-36490-2022, titled as *Major Singh vs. State of Punjab*, decided on 15.09.2022, while considering the bonafide of the

petitioner and finding the reason for his absence justified, set aside the order issuing non-bailable warrants. In *CRM-M-38277-2022, Surjit Singh vs. State of Punjab, dated 26.08.2022* and *CRM-M-39000-2022, titled as Raghav vs. State of Punjab, decided on 09.09.2022*, the orders whereby non-bailable warrants were issued on account of non-appearance of petitioner, were set aside on the ground that the same was on account of having noted down the wrong date and failure of his counsel in not intimating the same.

5. Moreover, the primary purpose of issuing a non-bailable warrant is to secure the appearance of the accused, especially when they fail to appear after being served a summons or if they are likely to abscond. Courts issue NBWs as a last resort, after first attempting to secure attendance through summons and bailable warrants.

6. In the interest of justice, considering the facts and circumstances of the case and judgments referred hereinabove, the impugned order dated 28.03.2025 (Annexure P-1), is set aside. Petition is disposed of with a direction to petitioner to surrender before the Ld. ASJ, Bathinda within 10 days from the receipt of certified copy of this order. On his appearance, if he moves an application for bail, the concerned Court is directed to decide the same within a period of 02 days.

16.10.2025

Parveen kumar

(AARADHNA SAWHNEY)
JUDGE

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