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

**CRM-M No.65884 of 2025
Date of decision : 21.11.2025**

Parkash Singh @ Parkash Chand Madhi

.....Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Gurnoor Singh Sethi, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed praying for quashing/setting aside the order dated 18.07.2025 (Annexure P-7) passed by the learned trial Court, whereby the bail, bonds bonds as well as surety bonds furnished by the petitioner were cancelled and forfeited to the State due to his non appearance and further nonailable warrants of his arrest were issued in case bearing FIR No.62, dated 05.05.2022, under Sections 22, 29 of NDPS Act, 1985, registered at Police Station Sadar Ahmedgarh, District Malerkotla. Further prayer has been made for staying the arrest of the petitioner during the pendency of the present petition.

2. Learned counsel for the petitioner has submitted that the petitioner was falsely prosecuted in a case bearing FIR No.62, dated 05.05.2022, under Sections 22, 29 of NDPS Act, 1985, registered at Police



Station Sadar Ahmedgarh, District Malerkotla. He has submitted that after registration of the FIR, the petitioner was granted anticipatory bail by this Court vide order dated 09.08.2022 passed in CRM-M-26575-2022. He has submitted that in the present FIR, the challan was presented and the charges have been framed and the case was fixed for recording of prosecution evidences. He has submitted that the petitioner was regularly appearing before the learned trial Court. He has further submitted that the present case was transferred from the Court of learned Additional Sessions Judge, Sangrur to Malerkotla vide order dated 26.09.2024 on the establishment of new Court. He has submitted that in the meantime, another case bearing FIR No.95, dated 08.07.2025, under Sections 105, 3(5) BNS and Sections 21, 22, 27, 29 of NDPS Act was registered against the petitioner and thus, apprehending his arrest, the petitioner could not appear before the learned trial Court on the date fixed before it. He has further submitted that due to non-appearance of the petitioner before the learned trial Court on the date fixed, i.e. 18.07.2025, his bail order was cancelled and bail bonds/surety bonds were forfeited to the State. He has submitted that nonailable warrants of arrest were also issued against the petitioner. He has submitted that absence of the petitioner was *bona fide* and not intentional. He has further submitted that the petitioner is ready to appear before the learned trial Court and abide by the terms and conditions imposed upon him.

3. Notice of motion.

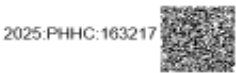
4. On the asking of the Court, Mr. J. S. Arora, DAG, Punjab appears and accepts notice on behalf of the respondent-State. He, on the



other hand, has contended that bail order of the petitioner was rightly cancelled by the learned trial Court and nonailable warrants of arrest were issued against him, as he failed to appear in the Court despite orders.

5. I have heard counsel for the parties and perused the record.

6. It is apparent that the petitioner was prosecuted in a case bearing FIR No.62, dated 05.05.2022, under Sections 22, 29 of NDPS Act, 1985, registered at Police Station Sadar Ahmedgarh, District Malerkotla, in which his bail order was cancelled and bail bonds/surety bonds were forfeited to the State. Nonailable warrants of arrest were also issued against the petitioner due to his non appearance before the learned trial Court. The reason given by the petitioner for his absence is that another case bearing FIR No.95, dated 08.07.2025, under Sections 105, 3(5) BNS and Sections 21, 22, 27, 29 of NDPS Act was registered against him. However, due to his non appearance, bail order of the petitioner was cancelled, bail bonds/surety were forfeited to the State and nonailable warrants of arrest were also issued against the petitioner. As the petitioner is keen to join the proceedings, so keeping in view the abovesaid facts, the present petition is disposed of and the impugned order dated 18.07.2025 is hereby *set aside* subject to payment of costs of Rs.25,000/- to be deposited with the Day Care Centre for Elderly Disabled Home for Old & Destitute People, Sector 15, Chandigarh by the petitioner within a period of 07 days from today. In case, the petitioner appears and surrenders before the Court concerned within a period of 10 days from the date of certified copy of this order and files an application for bail alongwith receipt of abovesaid costs, the Court concerned is directed to admit him to bail subject to its



satisfaction and proceed with the trial in accordance with law. The petitioner will have protection from arrest for a period of 10 days from the date of receipt of certified copy of this order.

7. Needless to say that in case the petitioner fails to comply with the abovesaid direction, he will have no benefit of abovesaid protection granted by this Court and order under challenge dated 18.07.2025 would come in force and the present petition would be deemed to have been dismissed.

21.11.2025

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

(RAJESH BHARDWAJ)
JUDGE