



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

148

CRM-M-6625-2026

Date of decision : 18.03.2026

CHENA RAM ALIAS CHAINA RAM AND ANOTHER

..... PETITIONERS

VERSUS

STATE OF PUNJAB

..... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present : Mr. Sandeep Sharma, Advocate
for the petitioner.

Mr. Eklavya Darshi, Deputy Advocate General, Punjab.

SURYA PARTAP SINGH. J.(Oral)

1. This is a petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita 2023, for quashing of order dated 10.10.2025 and order dated 28.01.2026 (Annexures P-10 & P-11), passed by the learned Special Judge, Jalandhar, hereinafter referred to as 'trial Court' only. By virtue of impugned order dated 10.10.2025 the bail of petitioners was cancelled. As a result thereof, the bail bonds of the petitioners have been forfeited, and to procure their presence in the Court, their warrant of arrest were issued. Subsequently by virtue of impugned order dated 28.01.2026 proclamation under Section 82 Cr.P.C. has been issued against the petitioners.

2. **Notice of motion.**

3. Since advance notice has already been served upon the State, Mr. Eklavya Darshi, Deputy Advocate General, Punjab, accepts notice on behalf of respondent-State. Hence, the service of notice upon the State is hereby dispensed with. However, no formal reply has been filed by the State and the learned State counsel has opted to oppose the present petition orally.

4. It has been contended by learned counsel for the petitioners that the petitioners were regularly appearing before the learned trial Court, however, on 10.10.2025 and 28.01.2026, they could not appear before the learned trial Court due to the reason that the previous counsel, engaged by petitioners, had informed them that their personal appearance was not required in the Court. As per petitioners, in the abovementioned circumstances, the impugned orders had been passed.

5. In view of above, once it is an admitted fact that the petitioners were not present before the learned trial Court in compliance with the conditions imposed in the bail order, it is hereby held that the learned trial Court was left with no option but to cancel the bail order, forfeit the bail bonds and issued warrant of arrest against the petitioners. Since apparently, there is no illegality in the above-mentioned order, there is no scope for interference in the impugned orders.

6. At this stage, learned counsel for the petitioners has sought liberty for the petitioners to surrender before the learned trial Court and move an application for bail.

7. In view of above-mentioned submissions, the present petition is hereby disposed of with a direction to the petitioners to surrender before the learned trial Court within two weeks. On his surrender, if an application for bail is filed by the petitioners, the learned trial Court is directed to dispose of the same within a period of three days. However, it is clarified that the learned trial Court shall be at liberty to exercise its discretion to take the petitioners into custody or impose penalty under Section 491 BNSS (corresponding Section 446 Cr.P.C).

8. The present petition stands disposed of accordingly.

(SURYA PARTAP SINGH)
JUDGE

18.03.2026
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Whether speaking/reasoned	:	Yes
Whether Reportable	:	No