



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

CRM-M-11005-2026 (O&M)

Date of decision: 08.04.2026

NARESH KUMAR @ KAKA

...PETITIONER

V/S

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Raghav Soni, Advocate for the petitioner.

Mr. Anup Singh, AAG, Punjab.

SUBHAS MEHLA, J. (ORAL)

1. Present petition has been filed by the petitioner under Section 528 of BNSS, 2023 for quashing of impugned order dated 12.12.2025 (Annexure P-3) passed by Judge Special Court, Amritsar vide which the bail of the petitioner has been cancelled, bail bonds forfeited to the State, and non bailable warrants of arrest have been issued to the petitioner due to his non-appearance in a case no. REMP No. 1349 of 2025 titled as "State of Punjab Vs. Naresh Kumar @ Kaka." arising out of FIR No. 152 dated 15.06.2025 under sections 21-B, 27-A, 61, 85 of NDPS Act registered at Police Station Gate Hakima, District Amritsar (Annexure P-1).

2. Learned counsel for the petitioner contended that on the day of his appearance, the remand papers of the petitioner were presented by the prosecution. It is further contended that petitioner was informed by his counsel that challan has not been presented yet and his presence would be required only



upon its filing by the prosecution. Due to this reason, the petitioner failed to join the proceedings before the trial Court on 12.12.2025 and consequently, his bail was cancelled and bail bonds were forfeited to State; that the petitioner is willing to join the proceedings. Learned counsel limited his prayer to the extent that the petitioner is ready to surrender himself before learned trial Court within a period of two weeks and prays that the petitioner be not arrested by the police, till then.

3. Considering the prayer made by learned counsel for the petitioner, no notice is required to be issued to the respondent.

4. Heard, and paper book perused.

5. Keeping in view of the limited prayer made by learned counsel for the petitioner, the petitioner is directed to surrender himself before the learned Illaqa Magistrate/ trial Court/ successor Court within a period of two weeks and to move an appropriate application for joining the proceeding by raising all the pleas taken in this petition, before the Illaqa Magistrate regarding his non-appearance. The Illaqa Magistrate is directed to decide his application in accordance with law. Till then, he will not be arrested by the police in this matter. It is made clear that if the petitioner fails to appear before the Illaqa Magistrate within stipulated time then the relief granted by this Court shall deemed to be withdrawn.

6. Petition is accordingly disposed of.

08.04.2026

Sonia Puri

**(SUBHAS MEHLA)
JUDGE**

(i) Whether speaking/reasoned

Yes/No

(ii) Whether reportable

Yes/No