

2026:PHHC:037270



193 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-11668-2026
Date of Decision:10.03.2026

Pardeep Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MS. JUSTICE AARADHNA SAWHNEY

Present: Mr. Angrej Singh, Advocate
for the petitioner.

Mr. Gautam Thapar, Sr. DAG, Punjab.

AARADHNA SAWHNEY, J. (ORAL)

1. Challenge in the present petition is to the order dated 15.11.2025 (Annexure P-6) passed by the Ld. ASJ, Barnala in FIR No.31 dated 02.04.2025, u/s 232/249/253/351(2)/351(3)/61(2) BNS and Sections 25/54/59 of Arms Act, 1959, PS Tappa Mandi, Distt. Barnala, vide which bail of the petitioner was cancelled, bail/surety bonds forfeited to the State. His presence was sought to be procured through NBW.

2. Learned counsel for the petitioner contends that petitioner was granted concession of bail by the Ld. Sessions Judge, Barnala vide order dated 22.05.2025 (Annexure P-2). Since then he has been regularly appearing before the Court concerned. However, on one date i.e. 18.10.2025, petitioner could not appear. Consequently, on the next date i.e. 15.11.2025, the bail/surety bonds of the petitioner were cancelled. Learned counsel submits that absence of the petitioner was not intentional but on

account of some mistaken impression with regard to the next date of hearing. Learned counsel further submits that a lenient view be taken in favour of the petitioner and he is ready to immediately surrender and undertakes to regularly appear before the Court concerned. With this backdrop, it has been prayed that the order dated 15.11.2025 (Annexure P-6) be set aside.

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 his non-appearance, 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.

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 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.

5. In the interest of justice, considering the facts and circumstances of the case and judgments referred hereinabove, the impugned order dated 15.11.2025 (Annexure P-6) passed by the Ld. ASJ, Barnala, is set aside. Petition is disposed of with a direction to the petitioner to appear before the Court concerned within a period of 15 weeks from today. In case, she surrenders before the court concerned within a period of 02 weeks, he be released on bail subject to his furnishing fresh bail bonds/surety bonds to the

satisfaction of the Chief Judicial Magistrate/Duty Magistrate/Trial Court concerned. Petitioner is also directed to furnish an undertaking by way of an affidavit that he will appear on each and every date of hearing before the trial Court, unless specifically exempted by the Court. He shall not leave the country without prior permission of the Court. The trial Court may impose any other condition that it may deem appropriate in the facts and circumstances of the present case.

6. Before parting with this order, it is made abundantly clear that in case the petitioner does not adhere to the aforesaid, the present petition shall be deemed to have been dismissed without any reference to this Court.

10.03.2026
Parveen kumar

(AARADHNA SAWHNEY)
JUDGE

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