



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

(174)

CRM-M-13133-2026

DATE OF DECISION: 11.03.2026

Sunil Kumar @ Lovely

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM HON'BLE MR. JUSTICE SUBHAS MEHLA

Present Mr.Arshdeep, Advocate, for the petitioner.
Mr.Surinderjit Singh Nahar, AAG, Punjab.

SUBHAS MEHLA, J (ORAL)

1. Present petition has been filed under Section 528 BNSS, 2023 for quashing and setting aside the order dated 21.08.2025 (Annexure P-3), and order dated 19.02.2026 (Annexure P-4), passed by the learned Additional Sessions Judge, Fazilka in case No. NDPS-126-2025 arising out of FIR No.009 dated 04.02.2025, under Sections 21 and 29 of NDPS Act, registered at Police Station Vairoke, whereby, bail granted to the petitioner was cancelled and bail bonds and surety bonds furnished were cancelled and forfeited and nonailable warrants were issued against the petitioner and fresh proclamation process was also issued against him.

2. Learned counsel for the petitioner contended that petitioner could not appear before the learned trial Court on 21.08.2025 due to bonafide and unavoidable circumstances, as he was suffering from chicken pox and was undergoing traditional treatment at his residence and was advised to remain in isolation, on account of which he remained absent. However, his bail was cancelled and bail bonds and surety bonds were ordered to be forfeited vide order dated 21.08.2025 and fresh proclamation



was issued vide order dated 19.02.2026. The impugned orders were passed in a mechanical manner and petitioner is ready and willing to surrender before the learned trial Court and undertake to regularly appear on each and every date of hearing and abide by any condition imposed by this Court. Hence, prayed for quashing of abovesaid impugned orders.

3. Notice of motion.

4. In pursuance of advance notice, Mr.Surinderjit Singh Nahar, AAG, Punjab, appeared and submitted that due to non appearance of the petitioner, his bail was cancelled, bailbonds were forfeited and fresh proclamation was issued against him.

5. Heard.

6. Keeping in view the contention of the learned counsel for the petitioner that petitioner is ready to join investigation and he wants to surrender before the learned trial Court and will raise all these pleas before it, the present petition is **disposed of** with a direction to the petitioner to surrender before the Illaqa Magistrate / trial Court, within two weeks from today, and move an appropriate application by taking all the pleas raised herein for his absence at the relevant time and learned trial Court is directed to proceed with the application in accordance with law. Till then, i.e upto 25.03.2026, petitioner shall not be arrested by police in this matter.

7. However, it is made clear that if petitioner fails to surrender before the learned trial Court within the stipulated period then the relief granted by this Court will be deemed to be withdrawn.

11.03.2026
mamta

(SUBHAS MEHLA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No