

CRM-M-14463-2026

2026:PHHC:042765



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

169

CRM-M-14463-2026 (O & M)

Date of decision: 18.03.2026

Surinder Kumar Saggu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Lakshay Bector, Advocate for the petitioner.

AMAN CHAUDHARY, J. (ORAL)

1. The present petition has been filed under Section 528 BNSS for setting aside the order dated 17.07.2025, Annexure P-2, passed by learned Judicial Magistrate 1st Class, Ludhiana, in case FIR No.22 dated 10.02.2022, vide which non-bailable warrants were issued against the petitioner.

2. Learned counsel submits that the petitioner has been granted anticipatory bail in the above FIR by this Court vide order dated 12.09.2023, Annexure P3, whereafter, a complaint was filed by him before the Human Rights Commission, Chandigarh, wherein the Special DGP filed a detailed inquiry report and cancellation report was recommended to be filed thereunder, however, after the lapse of approximately 5 months, no action was taken. Moreover, non-bailable warrants were issued against him without serving any summon or notice in relation to the FIR, thus he never appeared and the same were even received back unexecuted. His absence is neither wilful nor deliberate and

CRM-M-14463-2026

he is ready and willing to join the proceedings on or before the next date of hearing and prays for grant of one opportunity for him to surrender before the trial Court, even if the same is subject to costs.

3. Notice of motion.

4. At the asking of the Court, Mr. Jasjit Singh, DAG, Punjab, Punjab, accepts notice on behalf of the respondent-State and submits that the non-bailable warrants have been rightly issued against the petitioner, as he had absented from the proceedings.

5. Heard.

6. The very purpose of issuance of warrant of arrest, is to compel and secure the presence of the accused to face trial and establish the rule of law, as also to ensure finalization of the proceedings.

7. This Court in CRM-M-36490-2022, titled as **Major Singh vs. State of Punjab**, decided on 15.09.2022, CRM-M-38277-2022, titled as **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, had set aside the orders of non-bailable warrants.

8. Considering the fact that the absence of the petitioner was not wilful or deliberate and his readiness and willingness to surrender and join the proceedings, in case one opportunity is granted to the petitioner, no prejudice shall be caused to any of the parties, rather his joining the proceedings would help in expediting the trial. This Court in light of the judgment referred to above being applicable to the instant case, finds that the ends of justice would be adequately met if the present petition is allowed.

CRM-M-14463-2026

9. In view of the afore-mentioned judgments and the facts and circumstances of the case, the impugned order dated 17.07.2025, Annexure P-2, is set aside.

10. He is directed to surrender before the trial Court on or before 06.04.2026, subject to deposit of Rs.10,000/- as costs with Shri Sanatan Dharma Adhyan Kendra (Regd.), A/c No.0575000100044792, Punjab National Bank, Sector 16-D, Chandigarh. He is allowed to remain on the same bail/ surety bonds as had been furnished by him earlier.

11. The petition is disposed of.

12. 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.

18.03.2026
ashok

(AMAN CHAUDHARY)
JUDGE

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