



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

(165)

CRM-M-14594-2026

DATE OF DECISION: 20.04.2026

Rajesh Kumar

.....Petitioner

VERSUS

State of Punjab

.....Respondent

CORAM HON'BLE MR. JUSTICE SUBHAS MEHLA

Present Mr.SPS Khaira, Advocate, for the petitioner.

Mr.Anup Singh, AAG, Punjab.

SUBHAS MEHLA, J (ORAL)

1. Present petition has been filed under Section 528 of BNSS for quashing of the impugned order dated 18.11.2025 (Annexure P-5), passed by learned Additional Sessions Judge, Ludhiana, whereby bail bonds of the petitioner were cancelled and nonailable warrants of arrest against the petitioner were issued due to his non appearance before the learned trial Court in case bearing FIR No.39 dated 31.03.2023, under Section 15 of NDPS Act, registered at Police Station Shimlapuri, District Ludhiana.

2. Learned counsel for the petitioner contends that petitioner's absence before learned trial Court was not intentional; that petitioner regularly appeared before trial Court upto 26.05.2025, however, the incorrect next date was informed by his counsel as 27.09.2025 instead of 27.08.2025, hence, leading to his absence. Thereafter, the case was adjourned to 18.11.2025, however, on 09.10.2025, petitioner was arrested in another FIR bearing No.171 dated 2025, registered at Police Station Khamano; that petitioner was granted bail therein vide order dated 07.11.2025, but due to non availability of surety, petitioner was released on 19.11.2025 and hence, causing his non-appearance before learned trial Court



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in the present case on 18.11.2025. Hence, petitioner’s absence is not malafide; he is ready to surrender before the learned trial Court; and limited his prayer that he wants to surrender before the trial Court and until then, he may not be arrested by the police.

3. In pursuance of advance notice, Mr.Anup Singh, AAG, Punjab, appears and submits that if petitioner is ready to join the proceedings, he may surrender before the learned trial Court and take all the pleas for his absence at the relevant time.

4. Heard.

5. Keeping in view the contentions of the learned counsel for the petitioner that petitioner is ready to face trial and limited his prayer to the extent that the petitioner 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 trial Court on date fixed i.e on **24.04.2026** and move an appropriate application mentioning therein reasons for his non-appearance before the learned trial Court on 18.11.2025, and learned trial Court is directed to consider his application and decide it in accordance with law, on merits.

6. Till then, arrest warrants issued against the petitioner shall remain kept in abeyance and if petitioner fails to appear before the learned trial Court on date fixed, then the relief granted by this Court shall be deemed to be withdrawn.

20.04.2026
mamta

(SUBHAS MEHLA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No