



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

176

CRM-M-15964-2026 (O & M)

Date of decision: 24.03.2026

Hira Singh

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Birinder Singh Khehar, Advocate,
for the petitioner.

AMAN CHAUDHARY, J. (ORAL)

1. The present petition has been filed under Section 482 of Cr.P.C., for quashing the orders dated 19.05.2023, 01.06.2023 and 03.07.2023, Annexures P-2 to P-4 respectively passed in case FIR No.81 dated 04.07.2018, under Sections 353, 186, 341 of IPC (Sections 132, 221 and 126 of BNS, 2023), registered at Police Station Rahon, District SBS Nagar.

2. Learned counsel submits that the petitioner was granted anticipatory bail, vide order dated 05.11.2018, thereafter challan was presented, but prior thereto, he had left for abroad to earn his livelihood. It is stated in the judgment dated 19.12.2024, Annexure P-5, acquitting the co-accused, that the petitioner was declared a proclaimed offender, however, on an application filed before the trial Court, he was informed vide Annexure P-6, dated 11.03.2026, that no such order was passed. Straightaway non-bailable warrants were issued against him vide the impugned orders without following the due procedure, despite the report having been received that he resides abroad. 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. Ms. Manjot Kaur, AAG, Punjab accepts notice on behalf of respondent-State and submits that the non-bailable warrant has been rightly issued against the petitioner, as he had absented from the proceedings.

5. Heard.

6. The very purpose of issuance of warrants 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, **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.

9. In view of the afore-mentioned judgments and the facts and circumstances of the case, the impugned orders dated 19.05.2023, 01.06.2023 and 03.07.2023, Annexures P-2 to P-4 respectively, are set aside.

10. The petitioner is directed to surrender before the learned trial Court on or before 10.04.2026 and deposit Rs.25,000/- as costs with Nofal Ek Umeed Charitable Trust, running langar sewa for poor patients and their relatives in PGI Chandigarh, having its Account No.0579073000000156, IFSC Code-IFSCSIBL0000579, Bank- The South India Bank Limited, Chandigarh. He is



allowed to remain on the same bail/ surety bonds as had been furnished by him earlier.

11. The present petition is accordingly allowed.
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.

24.03.2026
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(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned

Whether reportable

: Yes / No

: Yes / No