



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

135

CRM-M-16450-2026

Date of decision : 27.03.2026

SUKHWINDER SINGH ALIAS HONEY

..... PETITIONER

VERSUS

STATE OF PUNJAB

..... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present : Mr. Arun Rana, Advocate
for the petitioner.

SURYA PARTAP SINGH. J.(Oral)

1. This is a petition filed under Section 528 of 'the Bharatiya Nagarik Suraksha Sanhita 2023', seeking for quashing of order dated 16.03.2026 (Annexure P-6) passed by the learned Additional Sessions Judge, Rupnagar, hereinafter referred to as 'trial Court' only. By virtue of abovementioned order, the bail of petitioner was cancelled. As a result thereof, the bail bonds of the petitioner have been forfeited, and to procure his presence in the Court his warrants of arrest was issued.

2. **Notice of motion.**

3. Since advance notice has already been served upon the State, Ms. Gagandeep Kaur, DAG, Punjab accepts notice on behalf of respondent/State. Hence, service of notice upon the State is hereby dispensed with. However, no formal reply has been filed by the State and the learned State counsel has opted to orally oppose the present petition.

4. It has been contended by learned counsel for the petitioner that the petitioner was regularly appearing before the learned trial Court, but on 16.03.2026 he could not appear before the learned trial Court because of some unavoidable circumstances. As per learned counsel for the petitioner, in the abovementioned circumstances, the impugned order was passed, which deserves to be quashed.

5. The record has been perused carefully.

6. In view of the fact, that admittedly the petitioner was not present before the learned trial Court in compliance with the conditions imposed in the bail order, it is hereby held that the learned trial Court was left with no option but to cancel the bail order, forfeit the bail bonds and issue warrant of arrest against the petitioner. Since apparently, there is no illegality in the abovementioned order, there is no scope for interference in the impugned order.

7. However in order to avoid mis-carriage of justice, the present petition is hereby ***disposed of*** with a direction to the petitioner to surrender before the learned trial Court. If he surrenders before the learned trial Court and moves an application for bail, the learned trial Court is directed to dispose of the bail application within two days. It is, however, clarified that the learned trial Court in the exercise of its discretion shall be at liberty

to take the petitioner into custody and/or impose penalty under Section 491 of BNSS (erstwhile Section 446 of CrPC) as per law.

(SURYA PARTAP SINGH)
JUDGE

27.03.2026
vipin

Whether speaking/reasoned : Yes
Whether Reportable : No