



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

(141) **CRM-M-16663-2026**
DATE OF DECISION: 27.03.2026

ROMISH KUMAR @ ROMY @ ROMINSPetitioner

Versus

STATE OF PUNJABRespondent

CORAM HON’BLE MR. JUSTICE SUBHAS MEHLA

Present Mr. Kartik Gandhi, Advocate,
for the petitioner.
Mr.Anup Singh, AAG, Punjab.

SUBHAS MEHLA, J (Oral)

Present petition has been filed under Section 528 of BNSS, 2023 (corresponding to Section 482 Cr.P.C) for quashing of order dated 28.02.2025 (Annexure P-3), and all subsequent consequential proceedings including the proclamation order dated 16.03.2026 (Annexures P-4 and P-5), passed by the learned Additional Sessions Judge, Ludhiana in case No.NDPS 6794-2022 titled as State versus Romish Kumar @ Romy @ Romins @ Romy, arising out of FIR No.149 dated 30.06.2022, under Section 21 of NDPS Act and Sections 25 and 27 of the Arms Act, registered at Police Station Haibowal, Ludhiana (Annexure P-1), whereby concession of regular bail granted to the petitioner by the learned Judge, Special Court, Ludhiana vide its order dated 29.08.2022 (Annexure P-2) was cancelled; bail bonds and surety bonds forfeited to the State; non bailable warrant of arrest issued and ultimately due to his absence, proclamation was ordered to be issued against him.



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2. Learned counsel for the petitioner contended that the petitioner was granted regular bail by the learned Judge, Special Court, Ludhiana, vide its order dated 29.08.2022 (Annexure P-2) in a case under NDPS Act on the basis of recovery of 80 grams of intoxicant powder (non commercial quantity) and one country made pistol; that on 30.08.2024, the petitioner could not appear before the learned trial Court, whereupon notice was ordered to be issued against him, which, as per learned Court itself, did not receive back served; that vide order dated 28.02.2025, learned Court cancelled the bail bonds and surety bonds of the petitioner and issued repeated nonailable warrants against him and ultimately on 16.03.2026 due to his absence, proclamation was ordered to be issued against him; that upon gaining knowledge of the proceedings, petitioner approached the learned Sessions Court for anticipatory bail but the same was dismissed vide order dated 12.02.2026 (Annexure P-6); that the petitioner is now ready to surrender before the learned trial court but he may not be arrested till then. Hence, prayed for quashing the impugned order.

3. Notice of motion.

4. In pursuance of advance notice, Mr. Anup Singh, AAG, Punjab, appeared on behalf of the State and opposed the petition by submitting that the petitioner has misused the concession of bail granted by the learned Appellate Court.

5. Heard.

6. Taking into consideration the submissions made by learned counsel for the petitioner as well as learned State counsel, and keeping in view the facts and circumstances of the case, the present petition is **disposed**



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of with a direction to the petitioner to surrender before the learned Appellate Court within a period of 15 days from today. Upon such surrender, the petitioner shall be at liberty to move an appropriate application explaining his absence before the Court at the relevant time and the learned Appellate Court is directed to consider the same and decide it in accordance with law.

7. Till the expiry of the aforesaid period of 15 days, the petitioner shall not be arrested, by the police in this case only.

27.03.2026
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(SUBHAS MEHLA)
JUDGE

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