



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

144

CRM-M-18574-2026

Date of decision : 07.04.2026

PREM SINGH AND ANOTHER

..... PETITIONERS

VERSUS

STATE OF PUNJAB

..... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present : Mr. Akshay Bansal, Advocate
for the petitioners.

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 orders dated 03.02.2026 & 16.03.2026 (Annexures P-1 & P-2) passed by the learned Additional Sessions Judge, Sangrur, hereinafter referred to as 'trial Court' only. By virtue of abovementioned order, the bail of petitioners was cancelled and their bail bonds were forfeited to the state. As a result thereof, to procure their presence in the Court, their warrants of arrest were issued.

2. Notice of motion.

3. Since advance notice has already been served upon the State,

Mr. Eklavya Darshi, Deputy Advocate General, Punjab, accepts notice on

behalf of respondent/State. Hence, service of notice upon the State is hereby dispensed with. No formal reply has been filed by the State. However the learned State counsel has opted to orally oppose the present petition.

4. It has been contended by learned counsel for the petitioners that the petitioners were regularly appearing before the learned trial Court, but on 03.02.2026 they could not appear before the learned trial Court due to noting of wrong date. As per learned counsel for the petitioners, in the abovementioned circumstances, the impugned orders were passed, which deserves to be quashed.

5. The record has been perused carefully.

6. In view of the fact, that admittedly the petitioners were 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 petitioners. 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 petitioners to surrender before the learned trial Court by the next date. If they 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 three days. It is, however, clarified that the learned trial Court in the exercise of its discretion shall be at liberty to take the petitioners into custody and/or

impose penalty under Section 491 of BNSS (erstwhile Section 446 of CrPC), as per law.

(SURYA PARTAP SINGH)
JUDGE

07.04.2026
vipin

Whether speaking/reasoned : Yes
Whether Reportable : No