



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

130

CRM-M-19973-2026.

Date of Decision: 10.04.2026.

Parminder Singh Sidana @ Parminder Singh @ PinduPetitioner.

VERSUS

State of Punjab

....Respondent.

CORAM : HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Ms. Vanshika Gupta, Advocate for
Mr. Lakshay Bector, Advocate for the petitioner.

Mr. Manjinder Singh Bhullar, Addl. A.G., Punjab

SANJAY VASHISTH, J. (Oral)

1. Petitioner – Parminder Singh Sidana @ Parminder Singh @ Pindu, aged 43 years, has filed present petition under section 528 of BNSS for setting aside of the order dated 28.10.2025 (Annexure P-5), whereby Court of learned Additional Sessions Judge, Ludhiana (trial Court) has cancelled the bail and then issued non-bailable warrants on account of non-appearance of the petitioner.

2. Learned counsel for the petitioner submits that in FIR No.204 dated 30.09.2023 under Sections 22, 61 and 85 NDPS Act, the petitioner was granted regular bail vide order dated 10.11.2023 (Annexure P-2). However, due to his non-appearance, the bail was cancelled vide the impugned order and his bonds were forfeited to the State.

3. Referring to the averments made in paragraph No.2, 3 and 4 of the petition, counsel contends that absence of petitioner on 28.10.2025 was not intentional and in fact the petitioner is a truck driver by profession and is sole bread earner for himself and his family. Most of the time, he is away from the house to perform his professional duty being truck driver and, therefore, on the date of hearing i.e. 28.10.2025, he could not appear. Counsel expresses his regret on behalf of the petitioner and submits that in future the petitioner would be conscious and would not absent himself without any prior permission. Counsel, therefore, prays that the petitioner be granted one more opportunity, protecting him from undue harassment.

5. Notice of motion.

6. Learned State counsel puts an appearance, and opposes the request of the petitioner by submitting that petitioner does not deserve any sympathy, because, he knowingly evade the proceedings before the trial Court. Learned State counsel further submits that looking at his behaviour, there is no surety that in future, petitioner would not be absent for the purpose of delaying the trial.

7. After examining the facts, this Court has formulated a uniform method to ensure the presence of accused before the concerned Court, to enable it to proceed further instead of delaying the proceedings by awaiting the presence of accused.

8. Intentional or unintentional default of the accused can be dealt with by examining the facts from case to case involved, and where it is realised that absence or prolonged absence of such accused is intentional, to evade the process of law, he/she can be penalized examining the nature of crime in which he is facing the proceedings and thereupon by imposing some

cost amount subject to his/her capacity to pay.

9. Primary object of every Court is only to examine the commission of crime in question before it viz-a-viz the person/accused, who is subjected to such proceedings, and if possible justice be imparted at the earliest without unnecessary delay.

10. It is not expected that undue time would be devoted in securing the presence of absconded accused and also to waste energy by enforcing the special mechanism to arrest such accused.

11. Considering all such aspects, this Court in the case of ***Ashish Kumar Honda @ Ashish Handa Vs. State of Punjab, 2022 (4) RCR (criminal) 765; Law Finder Doc Id # 20238111*** considered similar plea of appearance, expressed at the instance of the accused, who failed to appear before the Court at appropriate time, and observed that:

“paramount consideration of the Court is to secure presence of accused on each and every date for speeding up the trial for its final conclusion. Already Courts are flooded with so much litigation, resulting in slow pace of work, because of more than one reason. The required energy and manpower be used for expediting the proceedings of the Court, instead of running after the accused persons to get hold of them.”

Again, this Court has considered the aforementioned similar plea in case ***Veena @ Veena Devi v. State of Punjab*** (CRM-M-2206-2025, decided on 16.01.2025).

12. I have considered the submissions of both the sides and examined the relevant material available on record.

13. In totality of circumstances, I am of the view that the petitioner can be given one chance to appear before the trial Court, so that proceedings

may restart and continue in smooth manner.

14. Accordingly, plea of the petitioner is accepted. Impugned order dated 28.10.2025 (Annexure P-5) is set aside to the extent of issuance of non-bailable warrants, and he is directed to be released on bail, in the eventuality of surrender by him before the trial Court on or before 24.04.2026.

The petitioner shall also furnish fresh bail bonds/surety bonds to the satisfaction of the trial Court. Besides, petitioner would also submit specific undertaking/ affidavit that he will keep appearing during the proceedings of the trial in future and the proceedings would not be delayed because of his conduct.

However, this order shall be subject to the payment of Rs.5,000/- as costs, to be deposited by the petitioner in an Old Age Home of the area, as may be decided by the learned Trial Court. The Trial Court shall also specify the time frame within which such costs will be required to be deposited, but not more than two weeks, failing which this order would not be of any advantage to the petitioner.

15. **With aforementioned terms, present petition stands disposed of.**

(SANJAY VASHISTH)
JUDGE

10.04.2026
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Whether speaking/ reasoned	:	Yes/ No
Whether Reportable	:	Yes/ No