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

**CRM-M No.20406 of 2026
Date of Decision:29.04.2026**

Harchand Singh**..... Petitioner****Versus****State of Punjab****..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present: Ms. Neha Rajoria, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (ORAL)

1. Present petition has been filed praying for quashing/setting aside of order dated 04.02.2026 passed by learned Additional Chief Judicial Magistrate, Sri Muktsar Sahib, whereby bail of the petitioner was cancelled and his bail/surety bonds were forfeited and order dated 05.03.2026, whereby proclamation proceedings were initiated against the petitioner in case FIR No.39 dated 02.03.2021 under Sections 61/1/14 of the Punjab Excise Act, registered at Police Station Sadar Sri Muktsar Sahib. Further prayer has been made for staying the operation of impugned orders, during the pendency of the present petition.

2. Learned counsel for the petitioner has submitted that the petitioner was prosecuted in the abovesaid FIR. He submits that the petitioner was regularly appearing before the learned trial Court, however, he had inadvertently noted the wrong date of hearing as 02.04.2026 instead of 04.02.2026 and thus, he could not appear before



the trial Court on 04.02.2026. He has submitted that due to the absence of petitioner, the learned trial Court vide order dated 04.02.2026 cancelled the bail; bail bonds/surety bonds were forfeited to State and issued the non-bailable warrants against the petitioner. He submits that thereafter, since the non-bailable warrants remained unexecuted, proclamation proceedings were initiated against the petitioner vide order dated 05.03.2026. He has submitted that absence of the petitioner was *bona fide* and not intentional and he never misused the concession of bail granted to him. He has further submitted that the petitioner is ready to appear before the learned trial Court and abide by the terms and conditions imposed upon him.

3. Notice of motion.

4. On the asking of the Court, Mr. K.D. Sachdeva, D.A.G., Punjab appears and accepts notice on behalf of the respondents-State. He on the other hand has contended that learned trial Court rightly cancelled the bail of the petitioner and he was liable to be prosecuted in the said case, as he failed to appear in the Court despite orders and thus, proclamation proceedings were initiated against the petitioner.

5. I have heard learned counsel for the parties and perused the record.

6. It is apparent that the petitioner was prosecuted in the present case, whose bail was cancelled; bail/surety bonds were forfeited to State and non-bailable warrants were issued against him, due to his non-appearance on the ground that he inadvertently noted the wrong date of hearing. But now the petitioner is keen and ready to join the



proceedings and face the trial. So keeping in view the abovesaid facts, the present petition is disposed of and orders dated 04.02.2026 and 05.03.2026 are *set aside* subject to payment of Rs.10,000/- as costs to be deposited in the ‘**Spinal Rehab Centre, Chandigarh, Plot No.1, Madhya Marg, Sector-28/A, Chandigarh**’ by the petitioner in one week from the date of receipt of copy of this order. In case, petitioner appears before the Court concerned within a period of 10 days from the date of receipt of copy of this order and files an application for bail alongwith receipt of abovesaid costs, the Court concerned is directed to admit him to bail subject to its satisfaction and proceed with the trial in accordance with law. He will have protection from arrest for a period of 10 days from the date of receipt of copy of this order.

7. Needless to say that in case the petitioner fails to comply with the abovesaid direction, he will have no benefit of abovesaid protection granted by this Court and orders under challenge dated 04.02.2026 and 05.03.2026, would automatically come in force.

29.04.2026
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(RAJESH BHARDWAJ)
JUDGE

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