



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

CRM-M-26023-2026 (O&M)

Date of decision: 08.05.2026

AJAY KUMAR

...PETITIONER

V/S

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Ms. Shalini Singh, Advocate with
Mr. Nikhil Chaudhary, Advocate and
Mr. Yashkaranveer Singh, Advocate for the petitioner.
Mr. Anup Singh, AAG, Punjab.

SUBHAS MEHLA, J. (ORAL)

1. Present petition has been filed by the petitioners under Section 528 of BNSS, 2023 for quashing of impugned order dated 09.04.2026 (Annexure P-1) passed by learned Judicial Magistrate Ist Class, Kharar, SAS Nagar, Mohali in FIR No.59 under Sections 382, 506 read with Section 34 IPC & 201 IPC added later on, registered at Police Station Mullanpur, SAS Nagar, Mohali whereby the bail bonds/ surety bonds were cancelled and were forfeited to the State, and non bailable warrants of arrest have been issued against the petitioner on account of his non-appearance.

2. Learned counsel for the petitioner contended that the petitioner has been attending court proceedings regularly. However, on 09.04.2026, the production warrants of co-accused were ordered to be issued to produce him before the trial Court and on the said date i.e. 09.04.2026, the petitioner was present in the Court and the Naib Court of the concerned Court did not obtain



his signatures on the zimni sheet for marking his presence and he was told that his attendance has been marked and he may go as the case was pending for the production warrant of his co-accused; that the petitioner is willing to join the proceedings. Learned counsel limited her prayer to the extent that the petitioner is ready to surrender himself before learned trial Court and prayed that the petitioner be not arrested by the police.

3. Considering the prayer made by learned counsel for the petitioner, no notice is required to be issued to the respondent.
4. Heard, and paper book perused.
5. Keeping in view of the limited prayer made by learned counsel for the petitioner, the petitioner is directed to surrender himself before the learned trial Court within a period of two weeks and to move an appropriate application by raising all the pleas taken in this petition, before the trial Court regarding his non-appearance on that date. The concerned Court is directed to decide his application in accordance with law. Till then, the petitioner will not be arrested by the police in this matter. It is made clear that if the petitioner fails to appear before the Court concerned within stipulated time then the relief granted by this Court shall deemed to be withdrawn.
6. Petition is accordingly disposed of.

08.05.2026
Sonia Puri

(SUBHAS MEHLA)
JUDGE

- (i)

Whether speaking/reasoned

Yes/No
- (ii)

Whether reportable

Yes/No