

2026.PHHC.075344



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-26900-2026

Date of decision: 13th May, 2026

Pyare Hussain

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Anil Kumar Sephia, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed by the petitioner seeking quashing of order dated 16.07.2025 passed by the court of Additional Sessions Judge, Jalandhar in case arising out of FIR No. 62 dated 09.06.2023 registered under Section 18 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, '*NDPS Act*') at Police Station Basti Bawa Khel, Jalandhar, whereby his bail was cancelled; bonds were forfeited to the State and non-bailable warrants were ordered to be issued against him. Now the trial Court has passed order for fresh warrants and the case is fixed for 11.09.2026.

2. It is argued by learned counsel for the petitioner that he had been extended benefit of regular bail by the trial Court on 10.08.2023. Challan was presented in this case only on 21.01.2025. Thereafter, notices and bailable

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warrants were issued to him. Since he is resident of U.P., hence, neither the notices nor warrants were received by him and ultimately, his bail was cancelled. It is submitted that his absence was not intentional but was due to the reason as mentioned above. He is ready to join the proceedings before the learned trial Court and to abide by terms and conditions to be imposed upon him. It is, thus, argued that the petition deserves to be allowed.

3. Notice of motion.

4. Learned State counsel has advance notice of the petition and is ready to argue the matter. It is submitted by her that there is no illegality or infirmity in the orders passed by learned trial. Therefore, it is stressed that the petition does not deserve to be allowed.

5. This Court has heard the rival submissions made by learned counsel for the parties at considerable length.

6. The petitioner had not appeared before the learned trial Court after filing of the challan. A perusal of the copies of orders placed on record reveals that bailable and non-bailable warrants, issued against him had been received back unexecuted with the report that the address is not traceable and then his bail was cancelled. Though, this court finds no illegality or irregularity in the impugned orders as it was the duty of the petitioner also to be vigilant about the date of hearing, however, keeping in view the fact that he is ready to appear before the learned trial Court and to abide by terms and conditions to be imposed upon him, the petition is disposed of with a direction to him to surrender before the learned trial Court within a period of 15 days

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from today and on doing so, he shall be released on bail by the trial Court on furnishing fresh personal/surety bonds to its satisfaction and also on depositing cost of Rs. 5,000/- with District Legal Services Authority, Jalandhar.

7. Let a copy of this order be given *dasti* to learned counsel for the petitioner under the signatures of the Reader of this Court.

[MANISHA BATRA]
JUDGE

13th May, 2026
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |