



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

**CRM-M No.28687 of 2026
Date of Decision: 20.05.2026**

Rajwinder Singh

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Kamil Nagpal, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (ORAL)

1. Present petition has been filed praying for quashing of impugned order dated 16.04.2024 passed by learned trial Court, whereby the bail/surety bonds of the petitioner were forfeited and non-bailable warrants of the petitioner were issued as well as consequential proceedings arising therefrom including subsequent orders of non-bailable warrants as well as proclamation proceedings initiated vide order dated 05.05.2025 and all consequential proceedings against the petitioner in case FIR No.64 dated 07.05.2020 under Sections 307, 324, 341, 506, 188, 148 & 149 of IPC and Sections 25/27 of the Arms Act, registered at Police Station Kulgarhi, District Ferozepur. 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, on 16.04.2024, the petitioner was physically present in the Court premises and even engaged a new counsel but due to unavoidable circumstances and lack of communication, his presence could not be marked before the learned trial Court and thus, due to his absence, the learned trial Court vide order dated 16.04.2024, forfeited his bail bonds/surety bonds 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 05.05.2025. He has submitted that absence of the petitioner was 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. Ekom Pal Sagoo, A.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 forfeited the bail/surety bonds to the State 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/surety bonds were forfeited to State and non-bailable warrants were issued against him, due to his non-appearance due



to lack of communication. 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 16.04.2024 and 05.05.2025 are *set aside* subject to payment of Rs.25,000/- 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 16.04.2024 and 05.05.2025, would automatically come in force.

20.05.2026
m.sharma

(RAJESH BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No