



133

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

**CRM-M No.29616 of 2026
Date of decision: 22.05.2026**

Davinder Singh

.....Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Ashok Kumar Khunger, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed praying for quashing of impugned order dated 29.01.2026 (Annexure P-4) passed by the learned Additional Sessions Judge, Fazilka, in case bearing FIR No.0019, dated 01.02.2020, under Sections 379-B, 34 of IPC (Section 411 IPC added later on), registered at Police Station City-1 Abohar, District Fazilka, whereby regular bail granted to the petitioner was cancelled and his bail bonds and surety bonds were ordered to be cancelled and forfeited to the State being wholly illegal, wrong as well as against the law and facts of the case.

2. Learned counsel for the petitioner has submitted that the petitioner was falsely prosecuted in a case bearing FIR No.0019, dated 01.02.2020, under Sections 379-B, 34 of IPC (Section 411 IPC added later on), registered at Police Station City-1 Abohar, District Fazilka. He has



submitted that after registration of the FIR, the petitioner was granted the concession of regular bail by the learned Additional Sessions Judge, Fazilka vide order dated 26.07.2023. He has submitted that after granting the concession of regular bail, the petitioner was regularly appearing before the learned trial Court. He has submitted that the petitioner moved an application before the learned trial Court for his personal exemption on 01.12.2025 as he was admitted in Shri Guru Hargobind Singh Ji De-Addiction and Rehabilitation Centre, Sri Ganganagar, however, the same was allowed. He has further submitted that the petitioner was admitted in Shri Guru Hargobind Singh Ji De-Addiction and Rehabilitation Centre, Sri Ganganagar on 14.11.2025 and remained admitted there till 14.05.2026. He has submitted that on 29.01.2026, the petitioner could not appear before the learned trial Court and thus, due to his non-appearance before the learned trial Court on 29.01.2026, his bail order was cancelled and bail bonds & surety bonds were also cancelled and forfeited to the State. He has further submitted that nonailable warrants were also issued against the petitioner. He has submitted that absence of the petitioner was *bona fide* and not intentional. 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. Ekompal Sagoo, AAG, Punjab appears and accepts notice on behalf of the respondent-State. He, on the other hand, has contended that bail order of the petitioner was rightly cancelled by the learned trial Court and nonailable warrants were



issued against him, as he failed to appear in the Court without any valid reason.

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

6. It is apparent that the petitioner was prosecuted in a case bearing FIR No.0019, dated 01.02.2020, under Sections 379-B, 34 of IPC (Section 411 IPC added later on), registered at Police Station City-1 Abohar, District Fazilka, in which, he was already granted the concession of regular bail by the learned trial Court vide order dated 26.07.2023. Due to non-appearance of the petitioner before the learned trial Court, his bail order was cancelled and bail bonds/surety bonds were forfeited to the State. Non bailable warrants were also issued against the petitioner. The reason given by the petitioner for his absence is that he was admitted in Shri Guru Hargobind Singh Ji De-Addiction and Rehabilitation Centre, Sri Ganganagar on 14.11.2025 and remained admitted there till 14.05.2026. As the petitioner is keen to join the proceedings, so keeping in view the abovesaid facts, the present petition stands disposed of and the impugned order dated 29.01.2026 is hereby *set aside*. In case, the petitioner appears and surrenders before the Court concerned within a period of 07 days from the date of receipt of certified copy of this order and files an application for bail, the Court concerned is directed to admit him to bail subject to its satisfaction and proceed with the trial in accordance with law. The petitioner will have protection from arrest for a period of 07 days from the date of receipt of certified 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 order under challenge dated 29.01.2026 would come in force and the present petition would be deemed to have been dismissed.

22.05.2026

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(RAJESH BHARDWAJ)

JUDGE