



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

CRM-M-31412-2026

Date of Decision: 29.05.2026

Harmal Kumar

...Petitioner

Vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Vikram Preet Arora, Advocate
for the petitioner.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 482 of B.N.S.S with a prayer to grant anticipatory bail to him in case FIR No.113, dated 03.09.2022, under Section 18 of NDPS Act, Police Station Julkan, District Patiala.

2. Learned counsel for the petitioner contends that the petitioner was initially not arrayed as an accused in the present case nor any recovery was effected from him and he was nominated as an accused on the disclosure statement suffered by co-accused namely Vikas Kumar and was wrongly arrested on 04.09.2022. By referring to the bail order dated 21.10.2022 (Annexure P-2), learned counsel next contends that petitioner was granted the concession of regular bail by the Special Court, Patiala. Thereafter, the petitioner was regularly appearing before the Court, but on 06.09.2025, he was out of station and failed to appear before the Trial Court. As a consequence, non-bailable warrants were ordered to be issued against him. He further

contends that non-appearance of the petitioner before the Trial Court on 06.09.2025 was unintentional. Learned counsel for the petitioner next contends that the petitioner is ready to surrender before the Court and shall join the trial proceedings. He further contends that the petitioner shall appear on each and every date of hearing, before the Trial Court and shall not absent himself during the Court proceedings.

3. Notice of motion.

4. Mr. Bhanu Partap Singh, Addl. A.G., Punjab., who is present in the Court, accepts notice on behalf of respondent-State and opposes the prayer of the petitioner on the ground that the petitioner is a habitual offender and is also involved in one more FIR i.e.22, dated 09.03.2023, under Sections 18/61/85 of NDPS Act, Police Station Kotwali Nabha, District Patiala.

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

6. From the record, it is apparent that the petitioner was granted the concession of regular bail by the Special Court, Patiala on 21.10.2022 and for almost three years, he was regularly appearing before the Trial Court. However, it appears that due to some reason he could not appear before the Trial Court on 06.09.2025 and non-bailable warrants were issued against him. Thus, taking a lenient view of the matter, the petitioner is permitted to surrender before the Trial Court/Duty Magistrate within a period of two weeks from today and on his appearance, he shall be admitted to bail subject to furnishing bail bonds and surety to the satisfaction of the concerned Court.

7. At the time of furnishing of bail bonds, the petitioner shall also file an affidavit before the concerned Court that he shall continue to appear before

the Court on each and every date of hearing and shall not absent himself during the Court proceedings, except with prior permission of the Court.

8. The concerned Court would also be at liberty to insist for two local heavy sureties and to impose any other conditions, as it deems fit in the peculiar facts and circumstances of case.

9. The petition stands allowed in the above terms.

29.05.2026
hitesh

(N.S.SHEKHAWAT)
JUDGE

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