

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

CRM-M-31933-2026

Date of decision: 29.05.2026

HEERA SINGH

...PETITIONER

V/S

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

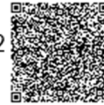
Present: Mr. Bhavesh Aggarwal, Advocate, for
 Mr. Vikasdeep Singh, Advocate for the petitioner.

Mr. Anup Singh, AAG, Punjab.

SUBHAS MEHLA, J. (ORAL)

1. Present petition has been filed by the petitioner under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short - 'the BNSS') for setting aside the impugned order dated 05.07.2024 (Annexure P-4) passed by learned Sub Divisional Judicial Magistrate, Sultanpur Lodhi, Kapurthala, in FIR bearing No.140 dated 13.07.2023 (Annexure P-1), under Sections 406 and 420 of the Indian Penal Code, 1860 (for short - 'the IPC'), registered at Police Station Sultanpur Lodhi, District Kapurthala, whereby, bail of the petitioner was cancelled and his bail/surety bonds were forfeited to the State.

2. Learned counsel for the petitioner contended that at the time of issuance of non-bailable warrants qua the petitioner on 05.07.2024, the petitioner was in custody in another FIR bearing No.147 dated 18.07.2023. It is further contended that presence of the petitioner was not required before the trial court till filing of final report under Section 173 of the Cr.P.C. (now Section 193 of the BNSS) and the same has not been filed till date but, despite the said fact learned trial court issued non-bailable warrants qua the petitioner and initiated proclamation proceedings. Learned counsel submitted that the



petitioner is ready to surrender himself before the learned trial court and prays that he be not arrested by the police till then.

3. Notice of motion.

4. Mr. Anup Singh, AAG, Punjab, who is present in Court, accepted notice on behalf of respondent-State and submitted that after getting released on bail, the petitioner intentionally did not put in appearance before the trial court and remained absent for a period of more than 1½ years, and, thus he misused the concession of bail granted to him. Further, the petitioner was well represented by the counsel of his choice and was aware about each and every date of hearing fixed before learned trial court.

5. Heard.

6. In view of the contentions of learned counsel for the parties, the petitioner is directed to surrender before learned trial court on or before the next date of hearing fixed before it i.e. 04.06.2026 and to move an appropriate application by raising all the pleas taken in this petition before learned trial court regarding his non-appearance. On his doing so, learned trial court shall decide his bail application expeditiously in accordance with law. Till then, he will not be arrested by the police in this matter. It is made clear that if he fails to appear before the trial court within stipulated time, then the relief granted by this Court shall be deemed to be withdrawn.

7. Petition is accordingly disposed of.

May 29, 2026

Manisha

- (i) Whether speaking/reasoned
- (ii) Whether reportable

(SUBHAS MEHLA)
JUDGE

Yes/No
Yes/No