

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

2026 PHHC:073073



(145)

CRM-M-33113-2025

Surender @ Samunder

.....Petitioner(s)

Versus

State of Haryana

.....Respondent(s)

Decided on : 11.05.2026

Date of uploading: 11.05.2026

CORAM : HON'BLE MR.JUSTICE SUMEET GOEL

Present: Mr. Rohit Aggarwal, Advocate for the petitioner (s).

Ms. Priyanka Sadar, Sr. DAG, Haryana.

Sumeet Goel, J. (Oral):

1. The instant petition under Section 528 of BNSS, 2023, has been filed for quashing of the impugned order dated 08.08.2024 (Annexure P-2) passed by the Court of learned Additional Sessions Judge, Rohtak, in case titled 'State of Haryana Versus Surender and others' bearing No.NDPS-33-2023 in case FIR No.14 dated 09.01.2023 registered under Section 22 and 29 of NDPS Act at P.S. Meham, Rohtak, whereby the learned trial Court has cancelled the bail of the petitioner and issued non-bailable warrants of arrest against the petitioner.

2. On 01.07.2025, the following order was passed:

“The instant petition under Section 528 of BNSS, 2023, has been filed for quashing of the impugned order dated 08.08.2024 (Annexure P-2) passed by the Court of learned Additional Sessions Judge, Rohtak, in case titled ‘State of Haryana Versus Surender and others’ bearing No.NDPS-33-2023 in case FIR No.14 dated 09.01.2023 registered under Section 22 and 29 of NDPS Act at P.S. Meham, Rohtak, whereby the learned trial Court has cancelled the bail of the petitioner and issued non-bailable warrants of arrest against the petitioner.

2. Learned counsel for the petitioner, inter alia, contends that the petitioner, after being granted concession of bail vide order dated 28.11.2023 (Annexure P-1) by this Court, had been regularly appearing before the learned Judge, Special Court, Rohtak, in case 'State of Haryana Versus Surender and others' bearing NDPS-33-2023, however, on 08.08.2024, the petitioner could not appear before the learned trial Court on account of ill health of his wife leading to cancellation of his bail bonds and issuance of non-bailable warrants of arrest by learned trial Court. She, by referring to the medical reports (Annexure P-9) has submitted that the absence of the petitioner on the date fixed was unintentional only because of the ill health of his wife. She submits that if granted concession of bail, the petitioner will regularly appear before the trial Court on each and every date of hearing without fail. She submits that the last order passed by the learned trial Court is annexed as Annexure P-8 and the case is now fixed for 11.08.2025. Hence, the petition.

3. Notice of motion.

4. On the asking of the Court, Mr. Vipul Sherwal, AAG, Haryana, who is present in Court, accepts notice on behalf of the respondent-State and has not disputed the factual matrix of the case.

5. Be it the case, without commenting on the merits of the case at this stage, the petitioner is hereby directed to appear before the learned trial Court/Duty Magistrate within seven days from today and in the event of his arrest, he is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the concerned Illaqa Magistrate/Duty Magistrate subject to deposit of Rs.5,000/- as cost with the District Legal Services Authority, Rohtak, as a condition precedent for his admission to interim bail.

6. The petitioner is further directed to furnish specific undertaking before the concerned Court that he will regularly appear on each and every date of hearing and in case of any exigency, he will seek exemption from the Court in accordance with law.

7. The trial Court is directed to communicate the order on the appearance of the petitioner, to this Court immediately, through appropriate channel well before the next date of hearing.

8. List on 18.07.2025."

3. It is the common ground with the learned rival counsel that the petitioner has caused appearance before the concerned trial Court, in terms of order dated 01.07.2025 earlier passed by this Court.

3. In view thereof, the order dated 01.07.2025 is hereby made absolute.

May 11, 2026
Naveen

(SUMEET GOEL)
JUDGE

Whether speaking/reasoned :	Yes/No
Whether Reportable :	Yes/No