



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

234

CRM-M-34010-2026 (O&M)

Date of decision: 03.07.2026

KARAMJIT KAUR**PETITIONER****VERSUS****STATE OF PUNJAB****RESPONDENT****CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL**

Present: Mr. Jatinder Pal Singh, Advocate and
Mr. Tejbir Singh Hundal, Advocate for the petitioner.

Mr. Akash Yadav, AAG Punjab.

Shalini Singh Nagpal, J. (Oral)

1. Petitioner seeks quashing of orders dated 20.04.2026 and 27.05.2026 of learned Judge, Special Court, Moga in case bearing No.NDPS-174-2026, arising out of FIR No.286 dated 23.10.2025 under Section 21 of the Narcotic Drugs and Psychotropic Substances) Act, 1985 and restoration of bail bond of the petitioner furnished in pursuance of order dated 26.11.2025 of learned Judge, Special Court, Moga.

2. Learned counsel for the petitioner submits that petitioner, who was accused in aforementioned case was allowed regular bail by the Court of learned Judge, Special Court, Moga vide order dated 26.11.2025. On 02.01.2026, learned Judge, Special Court, Moga exempted presence of the petitioner till presentation of challan. After challan was submitted, notice was issued to the petitioner which was never received by her. However, report of service through phone was submitted in the Court, upon which the Court cancelled bail of the petitioner and forfeited her bail and surety bonds. Petitioner was ordered to be summoned through non-bailable warrants of arrest. Learned counsel further submits that mobile No. i.e. 99145-52523, given by the police in the status report did not even pertain to the petitioner and there was no due and proper service. He further submits that the petitioner was ready and willing to surrender in the Court.



3. Status report by way of affidavit of Mr. Jatinder Singh, PPS, Deputy Superintendent of Police (City), Moga, District Moga on behalf of the respondent-State has been filed. The same is made part of the record. Learned State counsel opposes the petition, arguing that after presentation of challan, notice was sent to the petitioner through *Whatsapp* on a number which she had herself provided to the Investigating Officer and the notice was duly served through *Whatsapp*. The Investigating Officer submitted his report before the Court and the order under challenge was well in order, which did not call for interference.

4. There is nothing on record to show that the mobile number on which the petitioner is reported to have been informed by way of *Whatsapp* indeed belongs to her. As such, service of notice upon her is doubtful. Once, learned Trial Court had exempted presence of the petitioner till presentation of challan, it was required to ensure due, proper and effective service. The order under challenge cancelling bail of petitioner is not legally sustainable and is hereby set aside. Petitioner who has *bona fide* intention to join the proceedings is directed to put in appearance before the Court and the Court shall proceed further in the matter, in accordance with law. Needless to add that petitioner shall not be required to apply for bail or to furnish fresh bail and surety bonds.

5. The petition stands disposed of.

6. Pending miscellaneous applications, if any, also stand disposed of.

(SHALINI SINGH NAGPAL)
JUDGE

03.07.2026
HS.CHAUHAN

Whether Speaking/Reasoned :
Whether Reportable :

Yes/No
Yes/No