



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

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CRM-M No.49793 of 2025 (O&M)

Date of decision: 04.02.2026

Vijaypal Singh

.....Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR.JUSTICE SURYA PARTAP SINGH

Present: Mr. Harmanpreet Singh, Advocate for the petitioner.

Mr. Eklavya Darshi, DAG, Punjab.

SURYA PARTAP SINGH, J. (Oral):

1. This petition, under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, hereinafter being referred to as 'BNSS', has been filed for quashing of the order dated 05.06.2025, (Annexure P-5), passed by the Court of learned Additional Sessions Judge, Amritsar, hereinafter being referred to as 'trial Court'. By virtue of above mentioned order the bail of the petitioner has been cancelled, his bail/surety bonds have been forfeited to the State and warrant of arrest has been issued against him. The abovesaid order has been passed in a case pertaining to FIR No.89 dated 19.04.2022, under Section 21 of Narcotic Drugs & Psychotropic Substances Act, 1985 (hereinafter being referred to as 'NDPS Act'), Police Station Jandiala, District Amritsar Rural.

2. Notice of motion.



3. Since advance notice has already been served, Mr. Eklavya Darshi, DAG, Punjab, appears on behalf of respondent-State. Hence, service of notice upon the State is hereby dispensed with.

4. Learned counsel for the petitioner submits that the petitioner was regularly appearing before the learned trial Court, but he could not appear before the learned trial Court on 19.04.2025 as he noted down a wrong date. Resultantly, the learned trial Court cancelled the bail of the petitioner and forfeited his surety bonds. As per learned counsel for the petitioner, the learned trial Court has further proceeded to issue non-bailable warrants against the petitioner.

5. In view of above, once it is an admitted fact that the petitioner was not present before the learned trial Court in compliance with the conditions imposed in the bail order, it is hereby held that the learned trial Court was left with no option but to cancel the bail order, forfeit the bail bonds and issue warrant of arrest against the petitioner. Since apparently, there is no illegality in the abovementioned order, there is no scope of interference in the impugned order.

6. At this stage, learned counsel for the petitioner has sought liberty for the petitioner to surrender before the learned trial Court and move an application for bail.

7. In view of above, the present petition is hereby disposed of with a direction to the petitioner to surrender before the learned trial Court within a



period of one month from today. If he surrenders before the learned trial Court within the stipulated period and moves an application for bail, the learned trial Court is directed to dispose of the bail application within a period of two days. It is however clarified that the learned trial Court in the exercise of its discretion shall be at liberty to take the petitioner in judicial custody and/or impose penalty under Section 491 of BNSS (erstwhile Section 446 of Cr.P.C).

(SURYA PARTAP SINGH)
JUDGE

04.02.2026
Manoj Bhutani

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