

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2026:PHHC:024374



229

CRM-M-63150-2025 (O&M)
Date of decision:17.02.2026

Shishpal

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Mazlish Khan, Advocate and
Mr. Anuj Goyal, Advocate for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

...

Manisha Batra, J. (Oral).

1. The petitioner, who is facing trial for commission of offence, punishable under Section 20 of the NDPS Act, in case arising out of FIR No.152, dated 02.09.2021, registered at Police Station Sanoli, District Panipat. He had been extended benefit of bail in this case vide order dated 28.10.2021 as passed by the learned trial Court. His bail was cancelled and bonds were forfeited to the State on 14.08.2025 on account of his non-appearance. He had surrendered before the trial Court on 28.08.2025 and is in custody since then. He moved an application for grant of regular bail, which has been dismissed by the trial Court on 17.10.2025.

2. It is argued by learned counsel for the petitioner that absence of the petitioner on 14.08.2025 was not intentional but due to the reason that he had noted down a wrong date of hearing. He had surrendered before the trial

Court as soon as he came to know about the fact that his bail had been cancelled. Now he is in custody since 28.08.2025. No useful purpose would be served by detaining him in custody anymore. He is ready to abide by the terms and conditions, to be imposed upon him and to join the proceedings before the learned trial Court . It is, therefore, urged that he deserves to be released on bail.

3. Learned State counsel on the other hand has argued that the petitioner is a habitual offender. There are chances of the his absconding again, if extended benefit of bail. It is, therefore, stressed that he does not deserve to be released on bail.

4. This Court has heard the rival submissions made by learned counsel for the parties.

5. The petitioner was previously given benefit of bail and after cancellation of that benefit, he had surrendered within a reasonable time. As such, his absence cannot be stated to be intentional. Now, he is in custody since 28.08.2025. Taking into consideration the circumstances peculiar to the case and the fact that he is ready to abide by the terms to be imposed upon him, this Court is of the considered opinion that his further incarceration would not serve any useful purpose. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing fresh personal/surety bonds to the satisfaction of the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

6. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and shall not influence the outcome of the trial.

7. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

17.02.2026

harjeet

(MANISHA BATRA)
JUDGE

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