



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

156

CRM-M No.72383 of 2025 (O&M)

Date of decision: 12.01.2026

Rinku**.....Petitioner****Versus****State of Punjab****..... Respondent****CORAM: HON'BLE MR.JUSTICE SURYA PARTAP SINGH**

Present: Ms. Shweta Bawa, Advocate for the petitioner.

Mr. Eklavya Darshi, DAG, Punjab.

SURYA PARTAP SINGH, J. (Oral):

1. This is a petition, filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, hereinafter referred to as 'BNSS', for quashing of the order dated 18.09.2025, (Annexure P-5), passed by the Special Court Faridkot, hereinafter referred to as 'trial Court'. whereby bail of the petitioner has been cancelled, his bail/surety bonds have been forfeited to the State and warrants of arrest has been issued against him, in a case pertaining to FIR No.203 dated 12.09.2024, under Section 21-B and 29 of Narcotic Drugs & Psychotropic Substances Act, 1985 (hereinafter referred to as 'NDPS Act') Police Station City Kotkapura District Faridkot.

2. Notice of motion.

3. Mr. Eklavya Darshi, DAG, Punjab, appears on behalf of respondent-State, and waives service.

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 18.09.2025 as he met with an accident and suffered



fracture on his leg. Resultantly, the learned trial Court cancelled the bail of the petitioner and forfeited his surety bonds. 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 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 two weeks 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 or impose penalty under Section 491 of BNSS (erstwhile Section 446 of CrPC).

(SURYA PARTAP SINGH)
JUDGE

12.01.2026
Manoj Bhutani

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