



124 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-55614-2025  
Date of decision : 08.10.2025

Munish Kumar

.....Petitioner

versus

State of Punjab

..... Respondent

**CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

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Present :- Mr. Suneet Pal Singh Aulakh, Advocate  
for the petitioner.

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**RAJESH BHARDWAJ, J. (Oral)**

1. Prayer in the present petition is for quashing/setting aside of order dated 07.08.2025 passed by learned Judge, Special Court, Kapurthala whereby the bail bonds of the petitioner were forfeited to the State and order dated 28.08.2025 vide which bail of the petitioner was cancelled by the learned Judge, Special Court, Kapurthala in case FIR No.129 dated 21.09.2017, under Sections 21/61/85 of NDPS Act and Section 25 of the Arms Act, registered at Police Station Sadar Phagwara, District Kapurthala.

2. Learned counsel for the petitioner submits that petitioner was regularly appearing before the trial Court and whenever there were situations that the petitioner could not appear, he duly moved an application for exemption from his personal appearance before the trial Court. However, on 07.08.2025, petitioner could not appear before the trial Court due to noting down of wrong date as 07.09.2025 and his bail bonds were forfeited. Thereafter, on 28.08.2025, petitioner again could not appear as he was under impression that the case was fixed for 07.09.2025.



and on that date, his bail was cancelled and he was ordered to be summoned through non-bailable warrants of arrest. He submits that absence of the petitioner was neither intentional nor willful. He submits that now petitioner is ready and willing to join the proceedings and abide by the terms and conditions of bail.

3. Notice of motion to official respondent only.

4. On asking of the Court, Mr. J.S. Arora, DAG, Punjab accepts notice on behalf of the respondent-State.

5. Learned State counsel has opposed the submissions made by learned counsel for the petitioner and has stated that the trial Court has rightly cancelled the bail granted to the petitioner and issued non-bailable warrants against him who remained absent on 07.08.2025 and 28.08.2025 without any valid reason.

6. After hearing counsel for the petitioner and perusing the record, it is apparent that the petitioner remained absent on 07.08.2025 and 28.08.2025 allegedly due to noting down of wrong date and his bail was cancelled and bail/surety bonds were forfeited to the State and he was ordered to be summoned through non-bailable warrants. Now the petitioner is ready to settle the dispute amicably and keen to join the proceedings. So keeping in view the abovesaid facts, the present petition is disposed of and the orders dated 07.08.2025 and 28.08.2025 are *set aside* subject to payment of cost of Rs.10,000/- to be deposited with the Punjab and Haryana High Court, Employees Welfare Association within a period of 07 days from the date of receipt of copy of this order. In case the petitioner appears before the trial Court and files appropriate application along with receipt of costs before the trial Court within a



period of 10 days from the date of receipt of copy of this order, the trial Court will admit him to bail subject to its satisfaction during the pendency of trial and proceed with the trial as per law. Petitioner will have protection from arrest for a period of 10 days from the date of receipt of copy of this order.

7. Needless to say that in case the petitioner fails to comply with the abovesaid direction, he will have no benefit of this order and the orders under challenge would stand automatically revived and the present petition shall be deemed to have been dismissed.

Disposed of in above terms.

**08.10.2025**  
*m. sharma*

**( RAJESH BHARDWAJ )**  
**JUDGE**

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