



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

**CRM-M-14936-2026 (O&M)
DECIDED ON: 24.03.2026**

BALJINDER SINGH ALIAS BINDI

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

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

Mr. Hardeep Hans, AAG, Punjab.

MANDEEP PANNU, J (ORAL)

1. This is the third petition under Section 483 of the BNSS, 2023 (Section 439 Cr.P.C.) for grant of regular bail to the petitioner in case FIR No.48 dated 25.05.2019, registered under Sections 15 and 25 of the NDPS Act at Police Station Sudhar, District Ludhiana Rural.

2. Learned counsel for the petitioner contends that the petitioner had earlier been granted regular bail by this Court vide order dated 13.08.2020 (Annexure P-2). Thereafter, the petitioner duly joined the trial proceedings and remained present on each and every date of hearing. However, on 09.02.2026, the petitioner could not appear before the learned Trial Court due to ill health and had moved an application seeking exemption from personal appearance, which was dismissed, and consequently, his bail was cancelled, bail/surety bonds were forfeited to the



State and non-bailable warrants were issued against him. Learned counsel further submits that the petitioner's non-appearance was neither deliberate nor intentional.

3. It is also submitted that the petitioner undertakes to appear before the trial Court on each and every date.

4. Notice of motion.

5. On the asking of the Court, Mr. Hardeep Hans, AAG. Punjab, who is present in Court, accepts notice for the respondent-State and submits that the petitioner's bail was rightly cancelled and non-bailable warrants were justifiably issued on account of his absence. However, he does not dispute that the petitioner had already been granted regular bail and had been regularly appearing before the trial Court.

6. I have heard learned counsel for the parties and perused the record of the case with their able assistance and with the consent of parties, the matter is taken up for final disposal.

7. Whether the default on the part of the accused is intentional or unintentional depends on facts of each case. In the present case, the petitioner did not appear on 09.02.2026 before the learned Trial Court and ultimately on 09.02.2026 his bail was cancelled, bail bonds were forfeited to State followed by issuance of non-bailable warrants. By filing the present petition, the petitioner has shown his intention to submit before the learned Trial Court.

8. The sole purpose of issuance of bailable/non-bailable warrants is to secure presence of the accused before the trial Court. The petitioner in the present case has himself come forward and has undertaken to appear before the trial Court on each and every date.



9. Considering the totality of circumstances, this Court is of the view that the petitioner can be directed to appear before the trial Court, so that trial may resume. Accordingly, the petitioner is directed to be released on bail, in the eventuality of surrender by him before the trial Court within a period of two weeks from today.

10. The petitioner shall also furnish fresh bail bonds/surety bonds to the satisfaction of the trial Court. Besides, petitioner will also submit an undertaking/affidavit that he will keep appearing during the proceedings of the trial in future and the proceedings will not be delayed because of his conduct.

11. It is made clear that in case, petitioner fails to appear before the trial Court within a stipulated period, this order shall be deemed to be vacated.

12. With aforementioned terms, present petition stands disposed of.

13. All pending miscellaneous application(s), if any, stands disposed of.

24.03.2026

Poonam Negi

(MANDEEP PANNU)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No