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

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**CRM-M-21048-2026
Decided on : 20.04.2026**

NAVJOT SINGH BRAR

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. APS Deol, Senior Advocate, with
Ms. Sagarika, Advocate,
for the petitioner(s).

Mr. Manjinder Singh Bhullar, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 482 BNSS, 2023 (corresponding to section 438 Cr.P.C.), for grant of anticipatory bail, in case, FIR No.0181 dated 03.09.2025 u/s 318(4), 316(2), 61(2) and 238 BNS (Corresponding to sections 420, 406, 120-B, 201 IPC), at Police Station Baghapurana, District Moga (Annexure P-1), in pursuance to the order dated 30.03.2026, issuing non-bailable warrants of arrest for non-appearance on one date of hearing i.e. 30.03.2026 and further seeking direction to learned Trial Court to admit the petitioner on bail on his appearance on the next date of hearing i.e. 08.05.2026.

2. Counsel for the petitioner submits that petitioner was earlier granted bail in the present case, vide order dated 16.03.2026 passed by this Court in CRM-M-72921-2025, on merits, taking into consideration that the dispute pertains to alleged financial transactions relating to investments in



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properties made for business purposes by the complainant and petitioner.

3. It is further submitted that petitioner remained in custody from 13.06.2025 till 16.03.2026, i.e. for about nine months, and was released on 17.03.2026. Prior to his release, another FIR, i.e. FIR No.54 dated 28.02.2026 under Sections 420, 406, 120-B IPC (corresponding to Sections 318(4), 316(2), 61(2) of the BNS), was registered against him at the instance of one Gurjant Singh Dhaliwal, levelling similar allegations pertaining to the period 2019–20.

It is submitted that in the present case, *challan* had already been presented on 15.10.2025, and petitioner had been regularly appearing through video conferencing during his custody period, up to his release on 17.03.2026.

However, on 30.03.2026, apprehending arrest in FIR No.54, petitioner was pursuing his remedy for anticipatory bail and, as such, could not appear before the learned Trial Court. Consequently, learned Illaqa Magistrate, for non-appearance on the said date, cancelled the bail bonds and surety bonds of the petitioner and further issued non-bailable warrants of arrest for 08.05.2026.

It is, thus, submitted that immediately after having been granted regular bail in FIR Nos.107 and 181, another FIR No.54 dated 28.02.2026 was registered against the petitioner. In these circumstances, petitioner, while pursuing his legal remedy for anticipatory bail in the said FIR, could not join the proceedings in the present case, resulting in issuance of non-bailable warrants.

Therefore, counsel submits that petitioner's absence from the proceedings was neither wilful nor intentional but was occasioned due to his



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apprehension of arrest in the third FIR, wherein similar allegations have been levelled in relation to disputes arising out of financial investments made for alleged business gains. It is further submitted that petitioner has already undergone substantial custody of a period of more than six months in earlier FIRs involving similar allegations, and the repeated registration of FIRs reflects a pattern of hostility against him.

4. Further submits that petitioner is now ready and willing to join the proceedings on the next date of hearing i.e. 08.05.2026, however, he be directed to be released on bail, on his surrendering before the Court and thus, be protected from arrest. In case, one opportunity is granted, petitioner also undertakes that he would not absent himself in future, without there being prior permission from the Court, and fully cooperate for early disposal of the trial.

5. Notice of motion.

6. Mr. Manjinder Singh Bhullar, DAG, Punjab, puts an appearance, and opposes the request of the petitioner by submitting that petitioner does not deserve any sympathy, because, he has misused the concession of bail granted by the Court. Learned State counsel by pointing out the irresponsible conduct of the petitioner, submits that there is every possibility that for the purpose of delaying the trial, he would again be absenting during the proceedings.

7. In number of cases, this Court has been experiencing the situation wherein, accused stopped appearing before trial Court in the criminal cases after being released on bail and thereby compelling the Court to issue non-bailable warrants by cancelling the bail already granted or such accused has been declared 'Proclaimed Person'/Proclaimed Offender'. After



examining the facts from several cases, this Court has formulated and applied a uniform method by satisfying itself that such accused would appear before the concerned Court, to enable it to proceed further, instead of delaying the proceedings to await the presence of accused.

Intentional or unintentional default of the accused can be dealt with by examining the facts from case to case in which he is involved, and where it is realised that absence or prolonged absence of such accused is intentional to evade the process of law, he/she can be penalized after examining the nature of crime in which he is facing the proceedings and thereupon by imposing some cost amount subject to his/her capacity to pay.

Primary object of every Court is only to examine the commission of crime in question before it *vis a vis* the person/accused, who is subjected to such proceedings, and if possible justice be imparted at the earliest without unnecessary delay. It is not expected that undue time would be devoted in securing the presence of absconded accused and also to waste energy by enforcing the special mechanism to arrest such accused.

Considering all such aspects, this Court in the case of ***Ashish Kumar Honda @ Ashish Handa Vs. State of Punjab, 2022 (4) RCR (criminal) 765; Law Finder Doc Id # 20238111*** considered similar plea of appearance, expressed at the instance of the accused, who failed to appear before the Court at appropriate time, and observed that:

“paramount consideration of the Court is to secure presence of accused on each and every date for speeding up the trial for its final conclusion. Already Courts are flooded with so much litigation, resulting in slow pace of work, because of more than one reason. The required energy and manpower be used for expediting the proceedings of the Court, instead of running after the accused persons to get hold of them.”

Again, this Court has considered the aforementioned similar plea



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in case *Veena @ Veena Devi v. State of Punjab* (CRM-M-2206-2025, *decided on 16.01.2025.*

8. I have considered the submissions of both the sides and examined the relevant material available on record. The petitioner has remiss in appearing before the Court only on one date, and consequently, on 30.03.2026, when order cancelling the bail and issuance of non-bailable warrants of arrest, has been passed against him. It also cannot be left unnoticed that within one month of the absence from the Court, and on coming to know about passing of the order, the petitioner has moved the present petition, showing his inclination to submit himself before the trial Court.

9. In totality of circumstances, I am of the view that the petitioner can be given one chance to appear before the trial Court, so that proceedings may restart and continue in smooth manner. Accordingly, plea of the petitioner is accepted. **Therefore, petitioner is directed to be released on bail, in the eventuality of surrender by him before the trial Court, on or before 08.05.2026.**

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

However, this order shall be subject to the payment of Rs.20,000/- as costs, to be deposited by the petitioner in an Old Age Home of the area, as may be decided by the learned Trial Court. The Trial Court shall also specify the time frame within which such costs will be required to be



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deposited, but not more than two weeks, failing which this order would not be of any advantage to the petitioner.

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

(SANJAY VASHISTH)
JUDGE

April 20, 2026

Lavisha

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No