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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-37499-2026****Date of Decision: 17.07.2026****ANIL KUMAR****...Petitioner****Vs.****RAMNIK SINGH****...Respondent****CORAM:- HON'BLE MR. JUSTICE VIRINDER AGGARWAL**

Present: Mr. Vaibhav Narang, Advocate for the petitioner.

VIRINDER AGGARWAL, J. (Oral)

1. The present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 482 of the Code of Criminal Procedure, 1973) has been filed by the petitioner seeking quashing of order dated 13.05.2026 (Annexure P-1) passed by the learned Additional Sessions Judge, Gurdaspur, whereby the bail granted to the petitioner was cancelled, bail and surety bonds were forfeited and non-bailable warrants were issued against the petitioner in Case No. SC-311-2025 (CNR No. PBGD010108222025), titled as "State Through Drugs Inspector, Gurdaspur-II Vs. Anil Kumar & Others", under Section 18(a)(i) read with Section 17-B(d) and Rule 84E, punishable under Section 27(c) of the Drugs and Cosmetics Act, 1940 and Rules, 1945, pending before the learned Additional Sessions Judge, Gurdaspur.

2. Learned counsel submits that the petitioner was granted the concession of regular bail by the learned Additional Sessions Judge, Gurdaspur, vide order dated 12.05.2025, and since then, the petitioner had been regularly appearing before the learned Trial Court and had never misused the concession of bail granted to him. Learned counsel further submits that on



13.05.2026, the petitioner could not appear before the learned Trial Court due to sudden deterioration in his health condition and unavoidable medical circumstances. It is submitted that the petitioner is a senior citizen aged about 64 years and was undergoing medical evaluation and treatment after being referred to AIIMS Hospital. The medical reports revealed abnormal parameters requiring immediate medical attention, due to which the petitioner was not physically fit to undertake the long journey from District Bijnor (Uttar Pradesh) to Gurdaspur on the date fixed before the learned Trial Court.

2.1 Learned counsel contends that the absence of the petitioner was neither intentional nor deliberate and was caused due to circumstances beyond his control. It is submitted that there was no attempt on the part of the petitioner to delay the proceedings, evade the process of law, or misuse the concession of bail. Learned counsel submits that the learned Trial Court, while passing the impugned order dated 13.05.2026, failed to appreciate the genuine medical reasons for the absence of the petitioner and proceeded to cancel the bail, forfeit the bail and surety bonds and issue non-bailable warrants in a mechanical manner.

2.2 Learned counsel further submits that the petitioner is ready and willing to appear before the learned Trial Court on each and every date of hearing and undertakes to abide by all the terms and conditions imposed by this Court. He undertakes that the petitioner will surrender before the trial Court and shall join the trial proceedings without any delay or default in future.

3. On the previous date of hearing, notice of motion was issued, but, due to non-filing of process fee, notice could not be issued. On the asking of



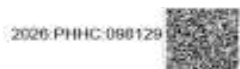
the Court, Mr. Baljinder Singh Sra, Addl. AG, Punjab, accepts notice on behalf of the respondent-State, who is not averse to the undertaking given by the petitioner that he will surrender before the trial Court.

4. On consideration of the submissions advanced by learned counsel for the petitioner and the material available on record, it is evident that the petitioner was granted the concession of regular bail by the learned Trial Court and had been appearing during the course of trial. The petitioner has placed on record certain medical reports to explain his absence on 13.05.2026. Though the medical documents indicate that the petitioner was undergoing medical investigations, however, the same by itself cannot justify his failure to appear before the learned Trial Court, as the petitioner, in case of genuine inability to remain present on account of ill health, could have moved an appropriate application seeking exemption from personal appearance. However, taking into consideration that the petitioner has approached this Court without any undue delay and there is no loss of time in between, and further considering the overall circumstances of the case, this Court deems it appropriate to take a lenient view.

5. Accordingly, the petitioner is directed to surrender before the learned Trial Court within 10 days and upon such surrender, the learned Trial Court shall release the petitioner on bail to its satisfaction, subject to the petitioner furnishing fresh bail bonds and surety bonds, as may be required. The proceedings under Section 446 Cr.P.C. (corresponding provision Section 491 BNSS, 2023) for the absence of the petitioner on 13.05.2026 shall be considered and dealt with by the learned Trial Court in accordance with law, without being influenced by any observation made by this Court.



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6. The instant petition is disposed of in the aforesaid terms.
7. It is clarified that the concession of bail order already granted to the petitioner vide order dated 12.05.2025 shall stand restored subject to the compliance of the aforesaid directions.

(VIRINDER AGGARWAL)
JUDGE

17.07.2026

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