



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

167

CRM-M-17701-2026 (O&M)
Date of decision:02.04.2026

Yadwinder Singh

....Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Sourabh Singla, Advocate, for the petitioner.
Mr. Manipal Singh Atwal, DAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer made in the present petition for quashing the impugned orders dated 14.01.2026 and 03.02.2026, Annexures P-4 and P-5 respectively, passed by learned Judicial Magistrate 1st Class, Patiala, vide which the bail of the petitioner has been cancelled and bonds forfeited to the State as also the proclamation proceedings have been initiated in complaint bearing No.COMA 4180 of 2019 dated 29.11.2019 titled as Raj Kumar vs. Yadwinder Singh under Sections 138 & 142 of Negotiable Instruments Act, 1881

2. Learned counsel submits that the petitioner was granted regular bail, vide order dated 01.08.2024 and thereafter he was regularly appearing before the trial Court on each date of hearing, but for 15.10.2025 he did not appear as he was working on combine machine in agricultural fields and was out of State for his livelihood and on 14.01.2026 due to miscommunication between him and his learned counsel, leading to cancellation of his bail and forfeiture of bonds and straightway non-bailable warrants have been issued and thereafter proclamation proceedings have been initiated on 03.02.2026. His non-appearance was neither intentional nor deliberate but due to the aforesaid



bonafide reason. He is ready and willing to join the proceedings on or before the next date of hearing and prays for grant of one opportunity for him to surrender before the trial Court, even if the same is subject to costs.

3. Notice of motion.

4. Mr. Manipal Singh Atwal, DAG, Punjab, accepts notice on behalf of respondent-State and submits that the non-bailable warrant has been rightly issued against the petitioner, as he had absented from the proceedings.

5. Heard.

6. The very purpose of issuance of warrants of arrest, is to compel and secure the presence of the accused to face trial and establish the rule of law, as also to ensure finalization of the proceedings.

7. The present petition has been filed on 30.03.2026 and the case is now fixed for 04.04.2026, which reflects the *bona fide* of the petitioner to join the proceedings.

8. This Court in CRM-M-36490-2022, titled as **Major Singh vs. State of Punjab**, decided on 15.09.2022, CRM-M-38277-2022, **Surjit Singh vs. State of Punjab**, dated 26.08.2022 and CRM-M-39000-2022, titled as **Raghav vs. State of Punjab**, decided on 09.09.2022, had set aside the orders of non-bailable warrants.

9. Considering the facts and circumstances of the case, judgments referred to hereinabove, the readiness and willingness of the petitioner to surrender and join the proceedings, which was incumbent upon him for the culmination of the same, the present petition deserves to be and is allowed, in the interest of justice, so as to facilitate expediting the trial and for taking it to its logical end.



10. As a consequence of the aforesaid, the impugned orders dated 14.01.2026 and 03.202.26, Annexures P-4 and P-5, are set aside.

11. The petitioner is directed to surrender before the learned trial Court on or before 10.04.2026 and to pay Rs.10,000/- as costs to the complainant, whereupon, he be released on the same bail/surety bonds as had been furnished by him at the time of granting bail. He is also directed to furnish an undertaking by way of an affidavit that he will appear on each and every date of hearing before the learned trial Court, unless specifically exempted by the Court. He shall not leave the country without prior permission of the Court. The trial Court may impose any other condition that it may deem appropriate in the facts and circumstances of the present case.

12. The present petition is accordingly allowed.

13. Before parting with this order, it is made abundantly clear that in case the petitioner does not adhere to the aforesaid, the present petition shall be deemed to have been dismissed without any reference to this Court.

(AMAN CHAUDHARY)
JUDGE

02.04.2026
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Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No