

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

Date of decision : August 31, 2016

1. CRM-M No. 22475 of 2016
2. CRM-M No.30931 of 2014

Sawinder Singh @ Surinder Singh vs State of Punjab

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Bhupinder Ghai, Advocate
for the petitioner in CRM-M No.22475 of 2016.

Mr. BS Jaswal, Advocate
for the petitioner in CRM-M No.30931 of 2014.

Ms. Amarjit Kaur Khurana, Addl. AG Punjab

Ajay Tewari, J (Oral)

This order shall dispose of CRM-M Nos.22475 and 30931 of 2014, as both these petitions arise from the same FIR.

In CRM-M No.22475 of 2016, the petitioner seeks grant of anticipatory bail in case FIR No.174, dated 11.10.2012, registered under Sections 21/61/85 of the NDPS Act, At Police Station Matour, District

Mohali.

In CRM-M No.30931 of 2014, prayer has been made for quashing of the order dated 3.1.2014 declaring the petitioner as proclaimed offender in the aforesaid case/FIR. As regards this petition, counsel for the petitioner has argued that the petitioner had been staying in Amritsar for the last many many years and, therefore, the attempts to serve him at village Baghria, Police Station Grinda, District Amritsar, as well as the order declaring him proclaimed offender on that basis are wrong.

Learned Addl. AG Punjab, on instructions from ASI Ranjit Kumar, has accepted that the regular place of residence of the petitioner is in Amritsar.

In these circumstances, the order dated 3.1.2014 declaring the petitioner proclaimed offender is set aside and CRM-M No.30931 of 2014 is allowed.

As regards CRM-M No.22475 of 2016, counsel for the petitioner was not arrested from the spot, has been implicated only on the basis of some secret information, has no previous history and till date no objective evidence has been unearthed against him.

Learned Addl. AG Punjab, on instructions from ASI Ranjit Kumar, has accepted that the petitioner has been named only by the secret informer and he does not have any history of being involved in any

such case.

In these circumstances, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner. Resultantly, this petition is allowed. Let the petitioner now surrender before the trial Court who shall release him on bail to its satisfaction.

August 31, 2016
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No