

CRM-M No.29939 of 2016

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

**CRM-M No.29939 of 2016
Date of decision : 18.10.2016**

Phula Singh

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Sandeep Arora, Advocate for the petitioner.

AJAY TEWARI, J. (Oral)

This is a petition for quashing of order dated 19.03.2016 passed by JMIC, Anandpur Sahib whereby the petitioner has been declared a proclaimed offender in Kalandra No. 171 dated 13.12.2010/09.03.2010 in case FIR No. 81 dated 28.08.2003 registered under Section 61/1/14 of Excise Act, registered at Police Station Nagar, District Roopnagar.

Learned counsel has argued that the petitioner was facing the trial regularly since 2010 and had never misused the concession of bail

but in December, 2015 his daughter was unwell and, therefore, he could not appear and within two months he was declared proclaimed offender. Further states that petitioner is ready to face the trial. Learned DAG, on instructions from HC Vinod Kumar, has accepted that prior to December, 2015 the petitioner never misused the concession of bail.

In this view of the matter, I do not deem it appropriate to deny the prayer made by the petitioner. The petition is allowed. The impugned order is set aside. Let the petitioner appear before the trial Court on 27.10.2016 who shall release him on bail to his satisfaction.

(AJAY TEWARI)
JUDGE

October 18, 2016
sunita

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No