

Sr. No.125

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

CRM-M-30939-2018

Date of decision:26.07.2018

Dilraj Singh

.....Petitioner

versus

State of Punjab

.....Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Karun Singh Kanwar, Advocate
for the petitioner.

Rajbir Sehrawat, J(Oral)

Present petition has been filed for quashing the Order dated 06.07.2018(Annexure P-7) whereby the petitioner was declared as proclaimed person by the learned Judge Special Court, Ludhiana in FIR No. 91 dated 15.05.2016 for the offences punishable under Section 22/61/85 of NDPS Act registered at Police Station Daka, District Ludhiana.

Learned counsel for the petitioner has submitted that the petitioner was granted bail by the Trial Court and he was facing trial regularly. However, on one date he could not appear before the Trial Court because of unavoidable circumstances mentioned in the present petition and he was declared as proclaimed person. Learned counsel further submits that the present petitioner does not have any intention to flee from the course of justice. The only prayer made is that the petitioner be protected against arrest.

Notice of motion.

On the asking of the Court, Shri K.S.Aulakh, DAG, Punjab

who is present in Court accepts notice on behalf of the State.

In view of the above, since the petitioner has explained his absence and is undertaking to appear before the Trial Court, therefore, it would be appropriate to set aside the impugned order dated 06.07.2018 (Annexure P-7) with a direction to the petitioner to appear before the Trial Court.

Hence, the present petition is allowed subject to the condition that the petitioner appears before the Trial Court on 27.07.2018. In case the petitioner appears before the Trial Court on 27.07.2018, then he shall be released on bail on his furnishing bail bonds/surety to the satisfaction of the Trial Court.

A copy of this Order be given to the learned counsel for the petitioner dasti on payment of usual charges.

26th July, 2018

Shivani Kaushik

[RAJBIR SEHRAWAT]

JUDGE

Whether speaking/reasoned *Yes/No*

Whether Reportable *Yes/No*