

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-45725 of 2018

Date of Decision: 16.10.2018

Bobby Sharma

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Vipul Jindal, Advocate
for the petitioner.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 482 read with Section 438 of the Code of Criminal Procedure, 1973 is for quashing of order dated 01.10.2018 (Annexure P-8) declaring the petitioner as proclaimed offender and for grant of bail to the petitioner in case FIR No.42 dated 17.03.2016 under Section 22 NDPS Act and Section 18C Drugs and Cosmetics Act, registered at Police Station Haibowal, Ludhaina.

Learned counsel for the petitioner contends that the petitioner was on bail in the aforesaid case, however, on account of his non-appearance on 23.07.2018, the bail bonds of the petitioner were cancelled and non-bailable warrants were issued and he has been declared as proclaimed offender. He submits that his non-appearance was due to noting of wrong date, as he had noted the date as 03.09.2018 instead of

23.07.2018. He further states that the petitioner is ready to appear before the trial Court and undertakes that in future, he will not absent himself and will not hamper the trial in any manner.

Notice of motion.

On the asking of the Court, Mr. Tanvir Joshi, AAG, Punjab accepts notice on behalf of the State.

Let requisite number of copies of the paper book be given to learned State counsel during the course of the day.

The present petition is disposed of with a direction to the petitioner to appear before the trial Court within a week. In case the petitioner appears before the trial Court within a week, he shall be admitted on bail subject to furnishing of adequate bail bonds/surety bonds to the satisfaction of the trial Court. The trial Court shall be at liberty to put any other condition upon the petitioner, as it may deem appropriate

October 16, 2018
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No