

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

1. CRM-M-27193-2020

Varun Kumar @ Vicky @ Varun Sharma **...Petitioner**

Versus

State of Punjab **...Respondent**

2. CRM-M-27368-2020

Varun Kumar @ Vicky @ Varun Sharma **...Petitioner**

Versus

State of Punjab **...Respondent**

Date of decision: 08.10.2020

CORAM:- HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Naresh Kumar, Advocate
for the petitioner.

Mr. Sidakmeet S. Sandhu, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This common order shall dispose of above noted two petitions
as they arise out of the same FIR.

Prayer in these petitions are for grant of anticipatory bail to
petitioner Varun Kumar @ Vicky @ Varun Sharma in FIR No. 116 dated
25.12.2012, registered under Section 22 of the Narcotic Drugs &

Psychotropic Substances Act, 1985 at Police Station Mahilpur, District Hoshiarpur as well as for quashing of the FIR including order dated 24.03.2015, vide which the petitioner has been declared a proclaimed person.

In the first petition, on 10.09.2020, the following order was passed:

“Learned counsel for the petitioner submits that after registration of the FIR, the petitioner was granted the concession of regular bail on 07.02.2013 and was regularly attending the Court, however, in the meantime, he got a visa/work permit for Behrin. The petitioner requested his counsel to seek permission from the Court and on assurance given by the counsel, he travelled to Behrin, where he worked till August, 2020 and after returning back to India in August, 2020, he came to know that on 24.03.2015, he has been declared as proclaimed offender and the police is going to arrest him. It is further submitted that the petitioner is now ready to surrender before the trial Court and face the trial and his marriage is likely to be performed shortly. It is also submitted that the petitioner is ready to deposit the costs of R\$ 2.00 lacs for delaying the trial.

Notice of motion.

On asking of the Court, Mr. Joginder Pal Ratra, DAG Punjab accepts notice on behalf of the respondent-State and has opposed the prayer for bail on the ground that the petitioner was declared as proclaimed offender after following the proper procedure under Section 82 CPC. and he had travelled road without seeking permission of the Court.

After hearing learned counsel for the parties and considering the fact that the petitioner, for a period of 08

years, was living in Behrin on a work permit and now wants to surrender back before the trial Court and face the trial, he is directed to be released on interim bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate, concerned.

List again on 08.10.2020.

The petitioner will deposit the demand draft of Rs.2.00 lacs in the Advocates Welfare Fund of Punjab and Haryana High Court Bar Association within a period of 10 days from today. Upon deposit of said amount, the petitioner will appear before the trial Court and thereafter, the trial Court will release him on interim bail.

The passport of the petitioner, if not impounded, will be handed over before the trial Court.

In the meantime, after the amount of Rs.2.00 lacs is deposited, arrest of the petitioner shall remain stayed.”

Learned counsel for the petitioner has submitted that in pursuance to aforesaid order, the petitioner has deposited an amount of Rs. 2 Lakh with High Court Lawyers Welfare Fund and has placed on record a receipt dated 21.09.2020 in this regard.

It is further submitted that after depositing the aforesaid amount, the petitioner has appeared before the trial Court and he has been released on interim bail.

The aforesaid fact is not disputed by learned State counsel.

In view of the above, order dated 10.09.2020 is made absolute, subject to conditions as envisaged under Section 438(2) Cr.P.C.

Since the petitioner has appeared before the trial Court and is ready to face the trial, the order dated 24.03.2015, declaring him a

proclaimed person, is also set aside.

In the above terms, both the petitions are disposed of.

A photocopy of this order be placed on the file of other connected case.

08.10.2020

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No