

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 17739 of 2020
Reserved on: 02.03.2022
Pronounced on : 30.03.2022

Kawaljit SinghPetitioner

Vs.

State of PunjabRespondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Anurag Chopra, Advocate for the petitioner.

Mr. Amandeep Singh Gill, Sr. DAG, Punjab.

ANOOP CHITKARA J.

FIR No.	Dated	Police Station	Sections
78	25.05.2015	Gharinda, District Amritsar	411, 414, 489A, 489B, 489C of IPC, 1860; 21, 22, 69 of NDPS Act; 25, 54 of Arms Act, 1959 and 3 of Passport (entry into India 1920).

Seeking quashing of proclamation order dated 4 Jul 2017 passed by Additional Sessions Judge/Exclusive Court, Amritsar, the accused has come up before this court under Section 482 CrPC.

2. The petitioner was arraigned as an accused for contravention of section 21/22 of NDPS Act. Initially for lack of determination of the weight of the contraband, the petitioner got interim bail, subject to the condition that in case the quantity is found to be commercial by FSL, then the petitioner shall surrender. Eventually, as per the report of FSL, the quantity of Alprazolam was found to be 110 grams, whereas the quantity greater than 100 grams falls as a commercial quantity. However, the petitioner did not surrender and vide order dated 06.10.2016, learned Additional Sessions Judge, Amritsar denied the bail.
3. The petitioner was neither apprehended nor did he surrender, which finally led to his being declared a proclaimed offender, and feeling aggrieved, he came up before this court.

4. A perusal of the order sheet does not reflect any illegality or irregularity. The procedure contemplated under section 82 CrPC has been followed as per statute, and does not call for any interference.

Petition dismissed. All pending applications, if any, stand closed.

(ANOOP CHITKARA)
JUDGE

30.03.2022

Jyoti-II

Whether speaking/reasoned:	Yes
Whether reportable:	No.