

**(202) IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-41891-2020
Date of decision :09.03.2022

Varundeep Kumar @ Vicky

... Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. K.B. Raheja, Advocate for the petitioner.

Mr. Rehat Bir Singh Maan, DAG, Punjab.

JASJIT SINGH BEDI, J. (ORAL)

The petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.120 dated 01.08.2020 registered under Sections 61, 01, 14 of Excise Act, 1914 at Police Station Mallanwala, District Ferozepur.

The learned State counsel submits that though the petitioner has joined the investigation, yet the fact remains that he had never appeared before the trial Court after filing of the challan and thus, the charges could not be framed in this matter.

A perusal of the file would show that the petitioner was granted the concession of anticipatory bail, joined the investigation on 24.03.2021, pursuant to which a report under Section 173 Cr.P.C. was submitted against him.

The learned State counsel on instructions from ASI Balwinder Singh admits the aforesaid fact and submits that the petitioner

is no more required for further investigation in the case but states that the petitioner is not appearing before the trial Court.

In view of aforesaid factual position, the interim order dated 24.02.2021 is made absolute. However, the petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

The trial Court is at liberty to proceed to declare the petitioner a proclaimed person/proclaimed offender, in case he does not appear before it, in accordance with law.

The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

09.03.2022
JITESH

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No