

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

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CRM-M-53860-2022
Date of decision: 21.11.2022

Sunil Kumar @ Monu**...Petitioner**

Versus

State of Punjab**...Respondent****CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- Mr. Manoj R. Sharma, Advocate
for the petitioner.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for setting aside the order dated 05.04.2022, passed by the trial Court, vide which the petitioner has been declared a proclaimed offender in case FIR No. 16 dated 02.03.2018, registered under Sections 21/22 of the NDPS Act, 1985 (Section 29 of the NDPS Act added later on) at Police Station Ghanie-Ke-Bangar, Police District Batala, District Gurdaspur.

Learned counsel for the petitioner submits that the petitioner was granted the concession of regular bail on 03.06.2019 and was regularly attending the court proceedings, however, he could not appear before the trial Court on 05.04.2022 on account of registration of another case and also due to the injuries sustained by him in a motor vehicular accident, consequent to which, his bail/surety bonds have been cancelled and he has been declared a proclaimed offender by the trial Court.

Learned counsel further submits that the petitioner is ready to surrender before the trial Court and apply for grant of fresh bail.

Notice of motion.

Mr. Navneet Singh, DAG, Punjab, who is present in Court, accepts notice on behalf of the respondent-State.

Learned State counsel has not disputed the factual position but opposed the prayer of the petitioner.

In view of the same, the present petition is allowed and the impugned order is set aside. The petitioner is directed to appear before the trial Court within a period of 15 days from today and on doing so, the trial Court will release him on bail, subject to his furnishing fresh bail/surety bonds to its satisfaction.

However, this will be subject to a condition that petitioner will deposit a cost of Rs. 3,000/- with the District Legal Services Authority, concerned.

21.11.2022

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No