

**206 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-50842-2019
Date of Decision: 21st July, 2022

Amarjit Singh

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: None for the petitioner.

Mr. Amit Mehta, Sr. Deputy Advocate General, Punjab.

AVNEESH JHINGAN, J (Oral):

This petition was filed seeking quashing of order dated 4.1.2019 declaring the petitioner as proclaimed offender in case of FIR No. 03 dated 8.2.2018 under Sections 22 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 and under Section 66-D, 66-F of Information Technology Act registered at P.S. SSOC, District Fazilka as well as quashing of consequential proceedings arising from the order dated 4.1.2019 and for grant of *ad-interim* anticipatory bail to the petitioner.

On 29.11.2019 the following order was passed :-

“Learned counsel for the petitioner submits that the petitioner's house is being raided time and again by the police, who allege that he is infact Jaspal Singh and not Amarjit Singh and therefore the order of the trial Court dated 04.01.2019 (Annexure P-4) needs to be complied with (as regards proceedings initiated by that Court under Section 83 of the Cr.P.C.).

Upon specific query to learned counsel by pointing to the FIR, that both Jaspal Singh and Amarjit Singh have been arraigned as “suspected persons” therein, he submits that that Amarjit Singh is a different person.

Notice of motion be issued to the respondent, returnable on 24.01.2020.

In the meanwhile, since the purpose of initiating proceedings under Section 83 of the Cr.P.C. would be to obviously secure the presence of the petitioner before the trial Court, he is directed to surrender before that Court, within one week and upon him doing so, he shall be admitted to bail to the full satisfaction of that Court, till the next date of hearing before this Court.

It is made absolutely clear that this Court while directing such presence of the petitioner, has made no comment whatsoever on whether the petitioner is Jaspal Singh or Amarjit Singh, or infact even whether or not he is correctly arraigned as an accused in the FIR, the aforesaid order having been passed only to ensure that he appears before the trial Court.”

None has put in appearance on behalf of the petitioner in spite of two pass overs.

On the last date the matter was adjourned on a written request circulated on behalf of learned counsel for the petitioner.

Learned State Counsel on instruction from ASI Sube Singh submits that the petitioner in compliance of order dated 29.11.2019 has surrendered before the Trial Court and was granted interim bail.

In view of the statement made above, no further directions are called for.

Petition is disposed of.

Needless to say that petitioner would be at liberty to move an application for recalling of the order in case of any factual discrepancy.

**[AVNEESH JHINGAN]
JUDGE**

21st July, 2022
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