

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

Sr. No.119

CRM-M-21068-2023

Date of Decision : April 27, 2023

Suraj Kumar @ Bhukh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. J.S. Thakur, Advocate, for the petitioner.

SUDHIR MITTAL, J. (ORAL)

The petitioner seeks quashing of order dated 19.09.2022 (Annexure P-3) whereby he has been declared a proclaimed offender.

2. Learned counsel for the petitioner has submitted that the bail was cancelled on 09.08.2022 on account of non-appearance of the petitioner. The non-appearance was on account of illness of his wife. Thereafter, proclamation was issued on 16.08.2022. Exactly 30 days period was given but the petitioner could not appear as his wife delivered a baby on 16.09.2022. Thus, impugned order deserves to be quashed.

3. The submission is without merit. There is no justifiable reason for having not appeared on 09.08.2022. If at all, the wife of the petitioner was unwell an exemption application could have been filed but no such effort was made. Admittedly, clear 30 days notice has been granted after publication of the proclamation and thus, order dated 19.09.2022 (Annexure P-3) does not suffer from any illegality.

4. The petition has no merit and is dismissed.

April 27, 2023

Ankur

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No