

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

**CRM-M-30613-2023 (O&M)  
Date of decision : 18.08.2023**

Bhupinder Singh @ Bhupi

...Petitioner(s)

*Versus*

State of Punjab

...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**

Present: Mr. Hardeep Singh, Advocate for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab for the respondent.

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**MAHABIR SINGH SINDHU, J.**

Present petition under Section 438 of the Code of Criminal Procedure has been filed for grant of pre-arrest bail to the petitioner in FIR No.223 dated 25.10.2014, under Section 61 of the Punjab Excise Act, 1914, registered at Police Station Kotwali, District Patiala.

(2) It transpires that petitioner was granted bail; however, due to his non-appearance on 21.09.2021 before learned trial Court, his bail was cancelled and he, along with co-accused, was summoned through non-bailable warrants. Also transpires that petitioner was declared as a proclaimed person, vide order dated 20.03.2023.

(3) This Court, vide order dated 15.06.2023, granted interim bail to petitioner and the same reads as under:-

*“Contends inter alia that petitioner is ready to suffer costs of Rs. 25,000/- on account of his non-appearance before the learned trial Court.*

*Notice of motion for 07.08.2023.*

*On asking of the Court, Ms. Monika Jalota, Senior Deputy Advocate General, Punjab, accepts notice on behalf of the respondent and seeks time to have instructions or file response in the matter.*

*Requisite copies of paper-book be supplied to learned State Counsel during the course of day.*

*Let petitioner shall surrender before the Court below and upon doing so, learned trial Court shall admit him to bail in present FIR No. 223, dated 25.10.2014, under Section 61 of the Punjab Excise Act, registered at Police Station Kotwali, District Patiala, on furnishing adequate bail and surety bonds to its satisfaction.*

*Costs of Rs. 25,000/- shall be deposited with the District Legal Aid Services Authority, Patiala.”*

(4) Learned Counsel submits that in pursuance of the aforesaid order, petitioner has already joined the proceedings before learned trial Court and he shall fully cooperate in future.

(5) Learned State Counsel, on instructions from ASI Mangat Singh, acknowledged that petitioner has surrendered before the Court below and also deposited costs of Rs.25,000/-.

(6) In view of above, interim order dated 15.06.2023 is made absolute as envisaged under Section 438(2) Cr.P.C. and the present petition stands disposed off.

(7) It is made clear that the petitioner shall fully co-operate with the learned trial Court and not to repeat such lapse(s) in future. Also directed that petitioner shall not seek unnecessary adjournments.

(8) The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.

August 18<sup>rd</sup>, 2023  
Gagan

( MAHABIR SINGH SINDHU )  
JUDGE

|                                  |               |
|----------------------------------|---------------|
| <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether Reportable</i>        | <i>Yes/No</i> |