

2023:PHHC:158895

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

128

CRM-M-62300-2023

Date of Decision : **12.12.2023**

ARMINDER SINGH ALIAS SONU

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Ms. Navjot Kaur, Advocate,
for the petitioner.

KULDEEP TIWARI. J.(Oral)

1. Instant petition has been filed under Section 482 Cr.P.C. seeking quashing of order dated 18.05.2023 (Annexure P-2), whereby the petitioner has been declared as a proclaimed offender in FIR No.16, dated 24.04.2019, registered under Section 61/1/14 of the Punjab Excise Act, 1914, at Police Station Station Bholath, District Kapurthala.
2. While referring to the *zimni* orders, which reveal that the *challan* was filed in the absence of the present petitioner, learned counsel for petitioner submits that due to Covid-19 Pandemic the petitioner remained absent and he was never aware about the proceedings before the trial Court. She further submits that the absence of the petitioner was totally *bona fide* and it was neither intentional nor willful.
3. Learned counsel for the petitioner further submits that she has no intention to assail the order (*supra*) thereby declaring the petitioner as 'proclaimed offender', however, the petitioner is willing to appear before the trial Court, in case, adequate protection is granted to him.

4. Notice of motion.

5. Ms. Kanica Sachdeva, AAG, Punjab, waives service on behalf of the respondent-State.

6. Considering the fact that the absence of the petitioner was neither intentional nor willful, rather was *bona fide* due to reason mentioned above, this Court deems it appropriate to direct the petitioner to cause appearance, within 15 days from today, before the trial Court and thereupon, to file a regular bail application, if he so chooses. In case, the petitioner makes compliance of direction (*supra*) and files an application for bail, the learned trial Court shall decide the bail application most expeditiously.

7. Till next 15 days, the arrest of the petitioner shall remain stayed.

8. Disposed of accordingly.

December 12, 2023

dharamvir

(KULDEEP TIWARI)

JUDGE

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No