

2024:PHHC:055320

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

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CRM-M-20225-2024
Date of Decision : April 24, 2024

LAKHBIR SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Brijesh Nandan, Advocate for the petitioner.

KULDEEP TIWARI, J. (Oral)

1. The present petition has been filed for seeking quashing of order dated 13.12.2022(Annexure P-4), passed by the learned Additional Chief Judicial Magistrate, Tarn Taran in FIR No.112 dated 17.7.2021, under Sections 61/1/14 of the Excise Act, registered at Police Station Sadar Tarn Taran, whereby, the petitioner has been declared as a proclaimed offender.

2. The learned counsel for the petitioner is unable to point out any illegality in the order dated 13.12.2022, wherethrough, the present petitioner has been declared as a proclaimed offender. However, he submits that the petitioner is ready and willing to join the proceedings before the learned trial Court concerned.

3. Since there is no perversity or illegality in the impugned order (supra), therefore, the impugned order is maintained and upheld.

4. However, the petitioner is directed to appear before the learned trial Court within 15 days from today. In case the petitioner surrenders before the learned trial Court concerned, within the prescribed

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time period and move an application for regular bail, the same shall be heard and decided on the same day after giving adequate opportunity to the parties concerned. Till then the arrest of the petitioner shall remain stayed.

5. **Disposed of** accordingly.
6. In case, the petitioner fails to surrender before the learned trial Court concerned within 15 days from today, the interim protection shall be deemed to be *ipso-facto* vacated without any further reference to this Court.
7. Since the trial is delayed because of the absence of the present petitioner, therefore, he is burdened with costs of Rs.10,000/-, which is pre-condition to the petitioner for his considering regular bail by the learned trial Court concerned. The costs is to be deposited before the District Legal Services Authority concerned.

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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No