



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

130

CRM-M-36873-2024

Date of decision: 01.08.2024

Rahul alias Rinku

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Vikram Preet Arora, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking quashing of order dated 31.08.2023 (Annexure P-3) passed by learned Trial Court, whereby he was declared a proclaimed person in case FIR No.138 dated 20.06.2018 under Sections 61/1/14 of the Excise Act, registered at Police Station Tripri, District Patiala.

2. Learned counsel for the petitioner at the outset submits that the petitioner is willing and ready to appear, and surrender before the Trial Court. Hence, in the aforementioned facts and circumstances, the petitioner be protected till his appearance before the Trial Court, and directions be given to the Trial Court that his bail application, which he would be filing on his surrender, be decided expeditiously.

3. Notice of motion.

4. On asking of the Court, Mr. Navdeep Singh, DAG, Punjab, accepts notice on behalf of respondent-State.

5. In view of the limited prayer made by the learned counsel for the petitioner, the instant petition is disposed of with directions to

the petitioner to appear and surrender before the Trial Court within 07 days from today. Till then, no coercive steps be taken against the petitioner. However, this shall be subject to payment of costs of Rs.10,000/- to be deposited with the District Legal Services Authority concerned, which shall be a condition precedent. The petitioner is also directed to plant 03 indigenous fruit bearing trees and 03 shady trees each within the judicial complex in Patiala, with the specific area to be identified by the District Legal Services Authority concerned within 07 days from today; the DLSA would also ensure the proper maintenance and upkeep of the trees so planted.

6. It is made clear that in case, the petitioner fails to surrender before the Trial Court within 07 days from today and to comply with the above said directions, this order shall be of no avail to him, thereafter. In case, on appearance and surrender, the petitioner moves an application for bail, the Trial Court shall make earnest efforts to decide it expeditiously, in accordance with law.

01.08.2024

Vinay

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(MANJARI NEHRU KAUL)

JUDGE