



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

205

CRM-M-44695-2023
Date of decision: 18.05.2024

HARJIT SINGH @ GOLDY

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Kartik Thakur, Advocate with
Mr. B.S. Jaswal, Advocate
for the petitioner.

Mr. Pardeep Bajaj, DAG, Punjab.

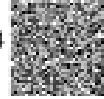
KULDEEP TIWARI. J.(Oral)

1. On 06.09.2023, the following order was passed:-

"Prayer in the present petition filed under Section 482 Cr.P.C. is for quashing of order dated 08.05.2023 (Annexure P-13) whereby the petitioner was declared proclaimed person in case FIR No.191 dated 15.12.2020 under Section 61 of The Punjab Excise Act 1914 registered at Police Station Tarsikka, District Amritsar (Annexure P-1).

Learned counsel for the petitioner submits that the petitioner was enlarged on bail vide order dated 15.12.2020 but failed to put in appearance on 14.12.2022, on which date after recording his absence, notice was issued to him for 12.01.2023.

It is submitted that petitioner was not served and vide order dated 12.01.2023 (Annexure P-7), his bail bonds/surety bonds were ordered to be cancelled and forfeited to State. His presence was ordered to be secured by non-bailable warrants. The petitioner being



- 2-

ready and willing to join the proceedings approached the trial Court seeking concession of anticipatory bail to enable him to join the proceedings. However, the said application was dismissed vide order dated 20.03.2023. The petitioner was thereafter declared proclaimed person vide order dated 08.05.2023. It is urged that the proclamation is not in accordance with the provisions of Section 82 Cr.P.C.

Notice of motion returnable for 05.10.2023.

Mr. Sanish Girdhar, AAG, Punjab, accepts notice on behalf of respondent-State and prays for time to argue the matter.

In the meanwhile, petitioner is directed to deposit an ₹amount of 10,000/- as costs with 'Ajit Singh Police Welfare Fund' Account No.12171450000081, HDFC Bank, Sector 15-C, Chandigarh-160015, RTGS/NEFT IFSC: HDFC0001217, and surrender before the trial Court concerned on or before 20.09.2023.

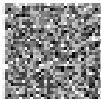
In case the petitioner surrenders before the trial Court and moves an appropriate application for bail along with receipt of above said costs, he be enlarged on interim bail subject to his furnishing bail bond and surety to the satisfaction of the trial Court.

To enable the petitioner to put in appearance before the Court below, his arrest pursuant to the impugned proceedings shall remain stayed till 20.09.2023.

Needless to observe that in case the petitioner fails to comply with the above said direction, the protection granted herein shall cease to exist."

2. In compliance to the order (supra), the petitioner has caused his appearance before the learned trial Court concerned, and he has been released on interim bail on furnishing bail/surety bonds in sum of Rs.50,000/-, with one surety in the like amount, on 15.09.2023. The petitioner has also deposited an amount of Rs.10,000/- as costs with "Ajit Singh Police Welfare Fund".

3. Since the petitioner has already joined the proceedings before the



concerned, in compliance to the directions issued by the Co-ordinate Bench of this Court, therefore, no further order is required to be passed.

4. The instant petition is **disposed of** accordingly.

18.05.2024
amandeep

(KULDEEP TIWARI)
JUDGE

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