



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

CRM-M-45331-2024

Date of Decision: September 12, 2024

SUNIL

....Petitioner(s)

VERSUS

STATE OF HARYANA

....Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Sunny Tyagi, Advocate
for the petitioner.

Mr. Chetan Sharma, DAG, Haryana.

SANDEEP MOUDGIL, J.(ORAL)

This petition has been filed by the petitioner under Section 482 Cr.P.C. for quashing of order dated 13.08.2024 (Annexure P-3) passed by the Chief Judicial Magistrate, Sonapat vide which the trial Court in case No.CIS No.575 of 2018 and FIR No.244 dated 10.07.2018 under Section 420 of IPC and Section 61 of the Punjab Excise Act, 1914 (Haryana Amendment Bill, 2020) registered at Police Station Murthal, Sonapat, declared the petitioner as proclaimed offender.

Learned counsel for the petitioner submits that the petitioner remained present before the trial Court till 08.04.2021. But thereafter the counsel for the petitioner before trial Court misguided the petitioner by stating that due to covid his presence is not required and later on the petitioner was informed that the matter has been settled but some police official visited the house of the petitioner and informed that his bail was



cancelled on 15.09.2021. He did not had any intention to avoid attendance in the Court proceedings otherwise he was appearing regularly on each and every date before the Court. Learned counsel for the petitioner undertakes that the petitioner will surrender before the trial Court and shall join the trial proceedings without any delay or default in future.

Notice of motion. On the asking of the Court, learned State Counsel accepts notice on behalf of the respondent-State, who is not averse to the undertaking given by the petitioner that he will surrender before the trial Court.

Considering the submissions made by learned counsel and also in appreciation of the fact that it will only speed up the proceedings before the Trial Court which is one of the essence as enshrined under Article 21 of the Constitution of India, the petitioner is directed to surrender before the trial Court within a period of one week from today and apply for regular bail.

In case, such an application for bail is moved by the petitioner before the learned trial Court, the same shall be considered on the same date and decided in accordance with law.

However, it is made clear that in case the petitioner does not abide by the aforesaid undertaking, the respondent/State shall be at liberty to move an appropriate application for revival of the instant petition.

The aforesaid order/concession to the petitioner shall be subject to payment of costs of Rs.10,000/- to be deposited with the Punjab and Haryana High Court Bar Clerk Association, Chandigarh (Account



No.65035682434, IFSC Code: SBIN0050306) and a receipt of the same be produced before the Trial Court and only in that eventuality, application of the petitioner for seeking bail be considered and decided on the same day in accordance with law.

The instant petition is disposed of in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

12.09.2024
Sangeeta

Whether reasoned/speaking:	Yes/No
Whether reportable:	Yes/No