



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

136

CRM-M-2153-2025(O&M)
Date of Decision: 16.01.2025

SANJAY

....Petitioner

VERSUS

STATE OF PUNJAB

....Respondent

CORAM : HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Suresh Kumar Arya, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab.

MANISHA BATRA, J. (Oral)

1. The instant petition has been filed by the petitioner for seeking quashing of impugned order dated 05.09.2022 passed by the Court of learned Judicial Magistrate First Class, Amritsar in case arising out of FIR No.02 dated 05.01.2022 under Section 61 of Punjab Excise Act, 1914 whereby his bail was cancelled and surety bonds were forfeited to the State and all the subsequent orders. It is submitted that now proclamation proceedings have been initiated against the petitioner and the same has been ordered to be issued for 01.02.2025.

2. It is argued by learned counsel for the petitioner that he had been regularly appearing before the learned trial Court after extending benefit of bail. He could not appear on 15.11.2022 due to his illness. His absence on that date was not intentional. He is ready to join the proceedings before the learned trial Court and to abide by terms and conditions. As such, it is urged that impugned order may be quashed. Copies of the impugned



orders as well as all the subsequent orders as passed by learned trial Court have been placed on record. Though on perusal of the same, I am satisfied that no ground for quashing of the same has been made out as petitioner has not been able to show any illegality or infirmity in these orders. Keeping in view the fact that the absence of the petitioner does not attract the consequences of detaining him into custody as he is willing to join the trial and the ultimate aim is to ensure timely disposal of the cases before the learned trial Court, the present petition is disposed of with the direction to the petitioner to surrender before the learned trial Court on or before the date fixed, i.e. **01.02.2025** and it is further ordered that on his surrender and on moving appropriate application, the learned trial Court shall admit him to bail subject to his furnishing personal as well as surety bonds to its satisfaction. However, this petition shall be deemed to be dismissed if the petitioner does not abide by this order.

Petition stands disposed of, accordingly.

(**MANISHA BATRA**)
JUDGE

16.01.2025
Deepak Patwal

1. *Whether speaking/reasoned* : Yes/No
2. *Whether reportable* : Yes/No