

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

2025:PHHC:029661



CRM-M-11820-2025

Date of Decision:03.03.2025

RAVI KUMAR

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Lakshay Bector, Advocate for the petitioner.

SANDEEP MOUDGIL, J. (Oral)

The present petition has been filed under Section 528 of the B.N.S.S for quashing of the order dated 17.03.2023 (Annexure P-4) passed by learned JMIC, Ludhiana, vide which the petitioner was declared as proclaimed offender in case FIR No.193 dated 21.09.2017 (Annexure P-1), registered at Police Station Jamalpur, District Ludhiana, under Section 61, 78 of the Punjab Excise Act and all consequential proceedings arising therefrom.

Learned counsel for the petitioner submits the due to the outbreak of COVID-19-, the present case was adjourned time and again and petitioner could not appear before the Court due to the reason that neither petitioner ever received any summon nor he was informed by the counsel. He did not had any intention to avoid attendance in the Court proceedings. He 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, Mr. Jaspal Singh Guru, AAG Punjab, 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 10 days 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 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

03.03.2025

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