



CRM-M-20180-2024

-1-

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

CRM-M-20180-2024

Date of Reserve:24.02.2025

Date of Pronouncement:27.02.2025

AMRITPAL SINGH

... PETITIONER

VERSUS

STATE OF PUNJAB

.. RESPONDENT

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. Fatesh Singh Bhullar, Advocate for the petitioner.

Mr. Rubal Pawar, Assistant Advocate General, Punjab.

H.S. Grewal, J.

1. The petitioner has sought quashing of the order dated 15.11.2023 (Annexure P-9) passed in NDPS-411/2022 titled as 'State of Punjab versus Amritpal Singh' whereby he has been declared as proclaimed offender in case FIR No.61 dated 25.08.2021 (Annexure P-1), under Sections 22/61/85 of the NDPS Act registered at Police Station Kacha Pacca, District Tarn Taran.
2. Learned counsel for the petitioner submits that the petitioner was earlier granted interim bail vide order dated 04.10.2021. However, the challan was presented in his absence on 28.09.2022 and consequent thereto, his bail bonds were cancelled on 07.07.2023 and all proceedings under Section 82 Cr.P.C. were initiated at the back of the petitioner without there being any material before the Court to infer that the petitioner was absconding from the process of law.



CRM-M-20180-2024

-2-

3. The allegation against the petitioner is that he was apprehended at the spot carrying a polythene bag containing intoxicant tablets. He is stated to be granted interim bail vide order dated 04.10.2021. However, the challan was presented in his absence on 28.09.2022.

4. This Court vide order dated 24.04.2024 was pleased to stay the impugned order and it was directed that in case the petitioner surrenders and applies for admission on bail, the same shall be decided by the concerned court in accordance with law within a period of three days.

5. In view of the above and keeping in view the totality of the facts and circumstances of the case, but without commenting upon the merits of the case, the impugned order dated 15.11.2023 (Annexure P-9), declaring the petitioner to be proclaimed offender are ordered to be set aside. The petitioner is directed to surrender before the learned trial Court/Duty Magistrate and move an application for regular bail, which shall be considered and disposed of by the learned trial Court/Duty Magistrate on the same day, by accepting fresh bail/surety bonds to be furnished by the petitioner to the satisfaction of the trial Court/Duty Magistrate concerned.

6. The instant petition stands disposed of, accordingly.

7. However, it is made clear that in case the petitioner absconds or misses any date of hearing without making any application seeking exemption from personal appearance before the learned trial Court, the bail granted to him shall stand cancelled.

27.02.2025

A.Kaundal

(H.S.GREWAL)
JUDGE

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