

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

**CRM-M No.19852 of 2025
Date of decision: 09.04.2025**

Gurjant SinghPetitioner

Versus

State of PunjabRespondent

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

Present: Mr. C.S. Jattana, Advocate for the petitioner.

H.S. GREWAL J.

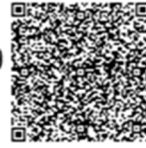
1. The petitioner is seeking quashing of order of proclamation dated 18.04.2023 (Annexure P-13) passed by learned Sub-Divisional Judicial Magistrate, Sardulgarh whereby the petitioner has been declared a proclaimed person in case bearing FIR No.139 dated 09.06.2019 under Sections 61, 78 of Excise Act registered at Police Station Sardulgarh, District Mansa.

2. Learned counsel for the petitioner contends that the petitioner has not been appearing since 13.07.2022. He further contends that the petitioner was marked absent during trial proceedings, following which the petitioner was declared as proclaimed person vide impugned order dated 18.04.2023.

3. Notice of motion.

4. On the asking of the Court, Mr. Amandeep Singh Samra, AAG, Punjab, accepts notice behalf of the respondent-State.

5. Learned counsel for the petitioner, on instructions submits that the petitioner undertakes to appear before the trial Court concerned on each and every date and shall not seek any exemption for his personal appearance on any date of hearing before the trial Court. Hence, in the aforementioned facts and circumstances, the petitioner prays that directions be issued to the Trial Court



concerned that his bail application, which he would be filing on his surrender, be decided expeditiously.

4. I have heard learned counsel for the parties and perused the material placed on record.

5. In view of the above, the instant petition is allowed and impugned order dated 18.04.2023 (Annexure P-13) passed by learned Sub-Divisional Judicial Magistrate, Sardulgarh in case bearing FIR No.139 dated 09.06.2019 under Sections 61, 78 of Excise Act registered at Police Station Sardulgarh, District Mansa stands set aside, subject to the condition that the petitioner shall appear and move an application for bail before the trial Court concerned within 07 days from today and the concerned Court shall release the petitioner on bail, subject to furnishing his bail bonds to its satisfaction and imposing reasonable conditions as it may deem appropriate in the background of the petitioner-accused's conduct.

6. It is made clear that in case, the petitioner fails to surrender before the Court concerned within 07 days from today, this order shall be of no avail to him, thereafter.

09th April, 2025

Sonia Puri

**(H.S. GREWAL)
JUDGE**

<i>Whether speaking/ reasoned</i>	:	<i>Yes / No</i>
<i>Whether reportable</i>	:	<i>Yes / No</i>