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

CRM-M-33378-2025

Date of decision : 01.07.2025

Varinder @ Varinder Kumar @ Bali

.....Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Sandeep Kumar Yadav, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

1. Prayer in the present petition is for quashing of order dated 11.03.2025 passed by the Court of learned Additional Sessions Judge-I, Kapurthala, vide which the petitioner was declared as proclaimed person in case FIR No.138 dated 20.05.2021 registered under Sections 20/21/61/85 of NDPS Act at Police Station City Kapurthala, District Kapurthala. Further prayer has been made for staying the operation of the impugned order.

2. It has been contended by counsel for the petitioner that in the above said case, the petitioner was regularly appearing before the trial Court. However, he noted the wrong date of hearing i.e. 21.03.2025 instead of 11.12.2024 and because of this reason, he remained absent from the Court on 11.12.2024 and his bail was cancelled and bail bonds/surety bonds were forfeited to State. Thereafter, on 21.03.2025, when the



petitioner appeared before the learned trial Court, he came to know that he has already been declared a proclaimed person on 11.03.2025. He submits that the petitioner is ready to join the proceedings and abide by the terms and conditions of bail, imposed by the Court.

3. Notice of motion.

4. On asking of the Court, Mr. J.S. Arora, D.A.G., Punjab accepts notice on behalf of the respondent-State.

5. Learned State counsel has opposed the submissions made by learned counsel for the petitioner and has stated that the trial Court has rightly declared the petitioner as proclaimed person who remained absent on 11.03.2025 without any valid reason.

6. After hearing counsel for the parties and perusing the record, it is apparent that the petitioner remained absent on 11.03.2025. The reason for his absence was given that he noted down the wrong date of hearing. The petitioner is keen to join the proceedings. So keeping in view the abovesaid facts, the present petition is disposed of and the order dated 11.03.2025 is *set aside* subject to payment of Rs.10,000/- as costs to be deposited in the **‘Spinal Rehab Centre, Chandigarh, Plot No.1, Madhya Marg, Sector-28/A, Chandigarh’** by the petitioner in one week from today. In case, petitioner appears before the Court concerned within a period of 10 days from today and files an application for bail alongwith receipt of abovesaid costs, the Court concerned is directed to admit him to bail subject to its satisfaction and proceed with the trial in accordance with law. He will have protection from arrest for a period of 10 days from today.

7. Needless to say that in case the petitioner fails to comply with the abovesaid direction, he will have no benefit of abovesaid protection granted by this Court and order under challenge dated 11.03.2025 would automatically come in force.

01.07.2025
ps-I

(RAJESH BHARDWAJ)
JUDGE

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