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

CRM-M-36532-2025

Date of decision : 14.07.2025

Harpreet Singh @ Happy

.....Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Amrit Paul Nahar, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

1. Prayer in the present petition is for quashing of order dated 14.02.2025 passed by the Court of learned Additional Sessions Judge, Hoshiarpur, in case NDPS/135/2020 titled as 'State of Punjab Vs. Rajit Sharda etc.', arising out of FIR No.328 dated 16.11.2019, registered under Section 18 of NDPS Act at Police Station Model Town, District Hoshiarpur, whereby the petitioner was declared as proclaimed person without complying with the provisions of Section 82 of Cr.P.C. 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. He submits that the petitioner is a driver and on 14.02.2025 he went to Gujarat to unload the goods. Resultantly, the petitioner was declared as proclaimed person vide order dated 14.02.2025 and



proceedings under Section 83 Cr.P.C. were ordered to be initiated against him. 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 several dates despite orders.

6. After hearing counsel for the parties and perusing the record, it is apparent that the petitioner remained absent despite orders. The reason for his absence was given that he is a driver and on 14.02.2025, he went to Gujarat to unload some goods but now 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 14.02.2025 is *set aside* subject to payment of Rs.10,000/- as costs to be deposited in the **‘Day Care Centre for Elderly Disabled in home for old & Destitute People, Sector-15 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 14.02.2025 would automatically come in force.

14.07.2025
ps-I

(RAJESH BHARDWAJ)
JUDGE

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