

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

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Date of Decision: 08.03.2017

1. CRM-M No.18491 of 2015

Jasvir Kaur and others

.....Petitioners

Vs.

State of Punjab and others

... Respondents

2. CRM-M No.21973 of 2014

Jasvir Kaur and others

.....Petitioners

Vs.

State of Punjab and others

... Respondents

CORAM:-HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. Ravish Bansal, Advocate
for the petitioners.

Ms. Rimplejeet Kaur, AAG, Punjab.

Mr. Abhishek Singla, Advocate
for the complainant.

RAJ MOHAN SINGH, J.(ORAL)

Vide this common order, CRM-M No.18491 of 2015
titled Jasvir Kaur and others Vs. State of Punjab and others and
CRM-M No.21973 of 2014 titled Jasvir Kaur and others Vs.

State of Punjab and others are being disposed of.

Prayer in these petitions is for quashing of order dated 10.10.2014 passed by Additional Chief Judicial Magistrate, Sri Muktsar Sahib and FIR No.100 dated 26.11.2012 registered under Sections 420, 120-B IPC at Police Station Muktsar Sadar, District Muktsar as well as all the subsequent proceedings arising therefrom on the basis of compromise.

Vide order dated 10.10.2014 passed by Additional Chief Judicial Magistrate, Sri Muktsar Sahib, petitioners were declared as proclaimed persons. In case bearing FIR No.100 dated 26.11.2012 registered under Sections 420, 120-B IPC at Police Station Muktsar Sadar, District Muktsar, co-accused Darshan Singh and Kirna Kaur were acquitted by the Court of Additional Chief Judicial Magistrate, Sri Muktsar Sahib vide judgment of acquittal dated 02.12.2013. The material prosecution witnesses turned hostile, resulting in acquittal of aforesaid persons. The trial of the aforesaid co-accused concluded even before the order declaring the petitioners to be proclaimed person on 10.10.2014. Now the petitioners seek intervention of the Court for quashing the order dated 10.10.2014 passed by Additional Chief Judicial Magistrate, Sri Muktsar Sahib.

CRM-M No.21973 of 2014 was filed for quashing of FIR

on the basis of compromise at the time when petitioners were not even declared as proclaimed person. In the present set of circumstances, it would be just and appropriate to direct the petitioners to appear before the trial Court within 2 weeks from today. Since the petitioners have been declared as proclaimed offender and co-accused have since been acquitted, therefore, in the event of appearance of the petitioners, they shall be granted regular bail to the satisfaction of the trial Court. The aforesaid course shall have no legal impediment in the subsequent proceedings by the parties to get the prosecution quashed on the basis of compromise.

Both the petitions stand disposed of accordingly.

March 08, 2017
Prince

(RAJ MOHAN SINGH)
JUDGE

Whether Reasoned/Speaking Yes/No

Whether Reportable Yes/No