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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-42796-2021

Date of Decision: 23.02.2023

RAJVEER SINGH AND ANR

..... Petitioners

Versus

STATE OF PUNJAB AND ANR

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Ms. Amarjot Kaur, Advocate
for the petitioners.

Mr. Digvijay Nagpal, AAG, Punjab.

Mr. Shivender, Advocate
for respondent No.2.

JAGMOHAN BANSAL, J. (Oral)

On 11.10.2021 following order was passed:

“Counsel for the petitioners herein seeks to challenge the order dated 24.12.2020 declaring the petitioners herein as proclaimed persons, while contending that they were unaware about the proceedings initiated against them. It is argued that petitioner No.1 and respondent No.2 herein had approached the Sessions Judge, Amritsar seeking protection of their life and liberty, as petitioner No.1 had solemnized a marriage with respondent No.2- Kuljit Kaur.

Notice of motion.

At this stage, Ms. Rashmi Attri, AAG Punjab, who is appearing through the medium of video conferencing, accepts notice on behalf of respondent No.1-State. Similarly, Mr. Shivender Pal, Advocate

accepts notice on behalf of respondent No.2, who would have no objection in case order dated 24.12.2020 is stayed, as the parties have solemnized a marriage.

I have heard counsel for the parties and have also perused the orders annexed with the petition and deem it appropriate to stay the impugned order.

Adjourned to 25.10.2021.

In the meantime, effect and operation of impugned order dated 24.12.2020 is stayed limited to the next date of hearing.”

The petitioners and prosecutrix appeared before the learned Trial Court with respect to compromise and tendered their statements. The petitioners have filed CRM-M-39297-2021 seeking quashing of FIR on the basis of compromise. This Court issued notice of motion in the said petition and directed the parties to tender their statements before the learned Trial Court.

The learned Trial Court has submitted its report dated report dated 10.11.2021. The relevant extracts of the report are as below:

“From the statements of the parties i.e. prosecutrix as well as accused and affidavits Ex.P1 and Ex.P2 of prosecutrix placed on record, this Court is of the view that the matter has been compromised between the parties as prosecutrix has solemnized the marriage with accused-Rajveer Singh with her own free will on 04.09.2021 and the compromise effected between the parties seems to be genuine. In this case, accused-Rajveer Singh and Gursewak Singh were declared proclaimed offenders by the Court of learned Ilqa Magistrate vide order dated 24.12.2020. Said order has been stayed by Hon'ble High Court vide order dated 11.10.2021 passed in

CRM-M-42796 of 2021. As per the status report received from concerned Police Station, accused- Rajveer Singh, Gursewak Singh or complainant have not been declared proclaimed offenders in any other case. Copies of statements of prosecutrix, both the accused and status report received from concerned Police Station are enclosed herewith.”

In view of the compromise arrived at between the parties, this Court vide order dated 23.02.2023 has quashed the FIR against the petitioners. As FIR stands quashed, there seems no reason to continue with PO proceedings against the petitioners. Accordingly impugned order dated 24.12.2020 is hereby quashed.

(JAGMOHAN BANSAL)
JUDGE

23.02.2023
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>