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2023 : PHHC : 153929

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-60908-2023

Date of Decision: 04.12.2023

CHARANPREET SINGH

... PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER

... RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE VIVEK PURI**

Present: Mr. R.S.Bajaj, Advocate for the petitioner.

Ms. Ruchika Sabherwal, DAG Punjab.

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**VIVEK PURI, J. (ORAL)**

1. The petitioner has assailed the order dated 01.07.2023 passed by the learned Judicial Magistrate First Class, Jalandhar vide which the petitioner has been declared proclaimed person in the complaint case bearing No. COMI-776 of 2018 dated 13.11.2018, registered on 14.11.2018 under Sections 406, 498-A IPC at Police Station Rama Mandi, District Jalandhar.

2. Learned counsel for the petitioner contends that the marriage of the petitioner was solemnized with respondent No.2 on 01.01.2014. The matrimonial dispute had cropped up between the parties. The respondent No.2 had instituted a complaint, Annexure P-1 against the petitioner and other family members. Only the petitioner has been summoned in terms of the order dated 09.08.2021 for having committed the offence under Section 498A IPC. In the complaint, incomplete address of the petitioner was specified as “resident of Railway Road, near S.D.College, Jalandhar”. The

petitioner was never served in the case. Even the proclamation was

issued at Ludhiana. The father of the petitioner had made a statement that he is residing in the house of his in-laws, the petitioner has been disinherited and his whereabouts are not known. The petitioner is ready and willing to surrender in the trial Court and face trial. It has been submitted that the petitioner shall surrender in the learned trial Court within a period of 2 weeks and shall move an application for regular bail. He restricts his prayer only to the extent that meanwhile the petitioner may be protected.

3. In these set of circumstances, the petition is disposed of with a direction that the petitioner shall surrender before the learned trial Court within a period of 2 weeks and shall move an application for regular bail. In the event of his doing so, the arrest of the petitioner be not effected till the disposal of the application for bail and for a period of 2 weeks thereafter in the event the bail application is dismissed.

4. The petition is being disposed of without issuance of notice to the respondents to avoid further unnecessary delay in the matter.

**04.12.2023**

Janki

**(VIVEK PURI)  
JUDGE**

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