

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

**CRM-M-1109 of 2024 (O&M)
DATE OF DECISION :- 05.02.2024**

Premjit Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Preetinder Singh Ahluwalia, Advocate for the petitioner.

Mr. Adhiraj Singh, AAG, Punjab.

SUMEET GOEL, J. (Oral)

The present petition has been preferred with the following
substantial prayer :-

“It is therefore, most respectfully prayed that the present petition may kindly be allowed and the impugned order dated 16.08.2023 (AnnexureP/5), vide which the present petitioner has been declared a proclaimed offender may kindly be set aside as the same runs contrary to the law enunciated by this Hon’ble Court in Ashok Kumar Vs. State of Punjab, 2013 (4) RCR (Crimina) 450, in the given facts and circumstances of the case.”

In response to the notice of motion, a status report dated 30.01.2024 by way of an affidavit of Sh. Gurpreet Singh, PPS, Senior Deputy Superintendent of Police, Sub-Division NRI Wing, Jalandhar was filed, relevant thereof reads as under :-

“2. That in compliance of order passed by this Hon’ble Court, the police of P.S. NRI, Hoshiarpur informed the respondent

No.2- Navrit Gill regarding pendency of the above said petition and regarding the date of hearing of above said petition before this Hon'ble Court for 30.01.2024 through Whatsapp message dated 15.01.2024 sent to the respondent No.2-Navrit Gill on her Whatsapp No.+447526819000. On this, the respondent No.2 replied through Whatsapp message dated 16.01.2024 from her mobile number to the Whatsapp of mobile No.94634-72511 of ASI Sohan Singh, P.S. NRI, Hoshiarpur that she is talking to her lawyer in this regard and she will reply to the police of P.S. NRI via email. Afterwards the respondent No.2 has sent an email to the police of P.S. NRI, Hoshiarpur on 18.01.2024 that she has compromised the matter with the petitioner in U.K. and she has withdrawn the complaint in India after compromise.”

A perusal of the order dated 11.10.2023 passed by the learned Judicial Magistrate Ist Class, Hoshiarpur reflects as under :-

“5. In pre-charge evidence Complainant has not adduced in evidence. Complainant Navrit Gill has appeared and suffered a statement to the effect that a compromise has been effected between herself and all the accused. The copies of compromise exhibited between herself and Premjeet Singh is Ex.A1 and a compromise/ writing executed between herself and Sukhminer Singh and Joginder is Ex.A2. In view of compromise she does not want to lead any pre charge evidence. Complainant closed her evidence.

6. In view of above discussion, it must follow that the evidence on record does not make out a sufficiently strong prima facie case against accused, much less, a case warranting conviction of accused, if the evidence on record remains further unrebutted. No ground is therefore, made out for framing a charge against the accused persons for commission of offences punishable under section 406, 498A of Indian Penal Code, 1860. Hence the accused namely Premjeet Singh, Sukhminder Singh and Joginder Kaur stands discharged in this case under

S.245 Cr.P.C. Accused Premjeet Singh, Sukhminder Singh and Joginder Kaur and their surety are also discharged from the liability under bail bonds and surety bonds. File be consigned record room, Hoshiarpur.”

In view of the above said it is clear that complainant Navrit Gill has already entered into a compromise with the petitioner and it is on this account the petitioner was discharged vide order dated 11.10.2023.

Accordingly, the impugned order dated 16.09.2023 passed by learned Judicial Magistrate Ist Class, Hoshiarpur is quashed.

The petition stands disposed of accordingly.

(SUMEET GOEL)
JUDGE

05.02.2024
P.Singh

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No