



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

312

CRM-M-17407-2024
Date of decision: May 20th, 2024

Gurbarinder Singh and others
.....Petitioners

Versus

State of Punjab and others
.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Kushagra Mahajan, Advocate
for the petitioners.

Mr. Navdeep Singh, Deputy Advocate General, Punjab.

Mr. Ankush Rampal, Advocate
for respondents No.2 and 3.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioners are seeking quashing of order dated 09.11.2023 (Annexure P-5) passed by learned Sub Divisional Judicial Magistrate, Baba Bakala, District Amritsar, vide which they were declared proclaimed persons in DDR No.24 dated 25.03.2021 under Sections 307, 148, 149 of the IPC and Section 25, 27 of the Arms Act, 1959, in FIR No.71 dated 24.03.2021 under Sections 323, 324, 148, 149 of the IPC registered at Police Station Beas, District Amritsar Rural.

2. Learned counsel for the petitioners, while drawing the attention of this Court to the impugned order, had reiterated that the provisions of Section 82 of the Cr.P.C. were not fully complied with as admittedly, the proclamation was not read out by the Serving Official.

3. Learned counsel for the State has not disputed the said fact, however, it has been submitted that other than this, there had been

compliance of all other provisions of Section 82 of the Cr.P.C.

4. Learned counsel for respondents No.2 and 3 has further contended that the parties have amicably settled all their disputes also, after the registration of the FIR/DDR in question.

5 I have heard learned counsel for the parties and perused the relevant material on record.

6. The petitioners were declared as proclaimed persons in the DDR in question. However, admittedly, the provisions of Section 82 of the Cr.P.C. were not fully complied with. In the circumstances, the present petition is allowed and order dated 09.11.2023 (Annexure P-5) passed by learned Sub Divisional Judicial Magistrate, Baba Bakala, District Amritsar, is hereby quashed.

May 20th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No