



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

305 CRM-M-24994-2024 (O&M)
Date of decision: 18.07.2024

PARVEEN ...Petitioner

Versus

STATE OF PUNJAB AND ANOTHER ...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present : Mr. Vinay Puri, Advocate
for the petitioner.

Mr. D.B. Singh, Sr. DAG, Punjab.

Mr. Puneet Singla, Advocate
for respondent No.2.

HARPREET KAUR JEEWAN , J.

1. The present petition under Section 482 of the Code of Criminal Procedure, 1973 has been filed for quashing of the order dated 24.02.2021 (Annexure P-2) passed by the learned Judicial Magistrate First Class-II, Jalandhar, whereby the petitioner has been declared as a proclaimed offender in case arising out of FIR No.147 dated 12.11.2018 registered under Sections 323, 427, 354, 427, 506, 148 and 149 IPC at Police Station Cantt Jalandhar, District Jalandhar (Annexure P-1).
2. Status report by way of an affidavit of Sukhninder Singh, PPS, Assistant Commissioner of Police, Sub Div V, Cantonment, Jalandhar filed on



behalf of the respondent-State, is taken on record.

3. Learned counsel for the petitioner submits that the present FIR was registered at the instance of respondent No.2 against the petitioner and her family members. He submits that the petitioner had no knowledge about her name being arraigned as accused in the FIR and she had been declared proclaimed offender without effecting any service upon her. He further submits that during the course of proceedings before the trial Court, the parties have entered into a compromise dated 01.04.2024 (Annexure P-3).

4. On 18.05.2024, this Court passed the following order :

‘1. The prayer in this 2nd petition filed under Section 482 Cr.P.C. is for quashing of the order dated 24.02.2021, passed by learned Judicial Magistrate Ist Class-II, Jalandhar, whereby the petitioner has been declared Proclaimed Offender in case FIR No. 0147, dated 12.11.2018, registered at Police Station Cantt. Jalandhar, District Jalandhar, under Sections 323, 427, 354, 148 and 506 of the IPC read with Section 149 thereof, on the basis of compromise dated 01.04.2024 (Annexure P-3)

between the parties.

2. Learned counsel for the petitioner inter alia contends that the first petition challenging the impugned order was dismissed, vide order dated 10.01.2024, however, subsequent to that the parties have effected a compromise, dated 01.04.2024 (Annexure P-3). The petitioner is ready to join proceedings. The petitioner is 37 years old lady and she was not served before she was declared Proclaimed Offender.

3. Notice of motion.

4. Having received advance copy of the petition, Ms. Himani Arora, A.A.G., Punjab, accepts notice on behalf of respondent-State and seeks time to file reply.

5. Adjourned to 27.05.2024.

6. In the meantime, the petitioner is directed to appear before the learned trial Court/CJM concerned and in the event of her arrest, she shall be admitted to interim bail upon her furnishing adequate bail bonds and surety bonds to the satisfaction of the learned trial Court/CJM concerned.’

5. Learned counsel for the petitioner submits that in compliance of the aforesaid order dated 18.05.2024, the petitioner has appeared before the learned



trial Court and furnished her requisite bail bonds and surety bonds, whereupon, she has been admitted on interim bail.

6. Learned State counsel while referring to the above-said status report has confirmed the aforesaid facts.

7. Keeping in view the fact that the parties have already compromised the matter; a compromise deed dated 01.04.2024 (Annexure P-3) has been executed between them and the petitioner has joined the proceedings in compliance of the order dated 18.05.2024 passed by this Court, as such, the present petition is allowed and the order dated 18.05.2024 granting interim bail to the petitioner is made absolute, subject to the conditions laid down under Section 438(2) Cr.P.C. Consequently, the order dated 24.02.2021 (Annexure P-2) passed by the Judicial Magistrate First Class-II, Jalandhar is set aside.

8. Nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.

9. All pending miscellaneous application(s), if any, stands disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

18.07.2024
P.Bhatt

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