





*along with all subsequent proceedings arising therefrom on the basis of compromise dated 30.07.2024 (Annexure P-5).*

*Learned counsel for the petitioners submits that petitioner No.1 has been declared as proclaimed person without following the drill of Section 82 Cr.P.C. as he was residing abroad and was never served and submits that his case is squarely covered by the judgment of this Court passed in ‘ **Major Singh @ Major Vs. State of Punjab**’ 2023 (3) RCR (Criminal) 406; 2023 (2) Law Herald 1506. Now with the intervention of the respectables, the petitioners and respondent No.2 have effected a compromise/affidavit dated 30.07.2024 (Annexures P-4 & P-5).*

*Learned counsel for the petitioners further submits that petitioner No.1 is residing at Portugal and as such, he cannot be physically present before the learned jurisdictional Magistrate to record his statement regarding compromise. Therefore, a request for recording statement of petitioner No.1 through SPA is made.*

*In view of the above, the prayer made by counsel for the petitioners is allowed. Petitioner No.1 is allowed to record his statement through SPA before the learned jurisdictional Magistrate.*

*Notice of motion for 01.10.2024.*

*At this stage, on the asking of the Court, Mr. Sandeep Kumar DAG, Punjab accepts notice on behalf of respondent No.1-State. Copy of the paper book be supplied to him during the course of day. Learned counsel for the petitioner undertakes to secure the presence of respondent No.2 before the learned trial Court at the time of recording the statement.*

*Service is complete.*

*In the meanwhile, the parties are directed to appear before the learned trial Court/Illaq Magistrate within two weeks from today or any other date convenient to the trial Court/Illaq Magistrate, to get their statements recorded regarding compromise and after recording their statements, learned trial Court/Illaq Magistrate is directed to send report regarding the genuineness of compromise and also to intimate whether any PO proceedings are pending against any of the party, except petitioner No.1, since he has already been declared as proclaimed person, on or before the date fixed i.e. 01.10.2024.*



*A copy of the order be sent to learned trial Court/Illaq  
Magistrate through fax for compliance.*

*In the meantime, operation of the impugned order dated  
20.05.2022 (Annexure P-3) shall remain stayed subject to payment  
of Rs.10,000/- as costs, to be deposited with the Poor Patient  
Welfare Fund, PGIMER, Chandigarh, for wasting precious time of  
the Court.*

*The receipt of payment of costs imposed must be presented  
before the learned trial Court. The learned Court below is directed  
to verify the payment of said costs.”*

4. In compliance of the aforesaid order, a report has been received from the concerned jurisdictional Court that the compromise between the parties is genuine and arrived at without any pressure or coercion from anyone.
5. In view of the compromise and the ratio of law laid down by the Hon’ble Supreme Court in ***Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466, Ramgopal and another Vs. State of Madhya Pradesh 2021 SCC OnLine SC 834*** and ***Shakuntala Sawhney (Mrs) Vs. Kaushalya (Mrs.) and others (1980) 1 SCC 63*** and Full Bench of this Court in ***Kulwinder Singh Vs. State of Punjab 2007 (3) RCR (CrL) 1052***, this petition is allowed and FIR No.3 dated 13.01.2021 under Sections 498-A/406/354 of IPC registered at Police Station Women Cell, District Amritsar (Annexure P-2) and order dated 20.05.2022 (Annexure P-3) whereby, petitioner No.1 has been declared as proclaimed person and all consequential proceedings arising out of the same are quashed, qua the petitioners.

October 01, 2024  
manisha

(HARPREET SINGH BRAR)  
JUDGE

- (i)

Whether speaking/reasoned

Yes/No
- (ii)

Whether reportable

Yes/No