

130 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-64117-2023 (O&M)  
Date of Decision: 10.01.2024

PARVEEN

.....PETITIONER

Vs.

STATE OF PUNJAB

.....RESPONDENT

**CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN**

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

Ms. Himani Arora, A.A.G., Punjab.

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**HARPREET KAUR JEEWAN J. (ORAL)**

1. This petition has been filed under Section 482 C.D.C. for quashing of the order dated 24.02.2021 (Annexure P-2) passed by the 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, 506, 148 and 149 of the IPC.

2. Learned counsel for the petitioner contends that there are no specific allegations attributed to the petitioner in the FIR, which was registered at the instance of a neighbourer. The FIR appears to have been registered due to verbal small fight but entire family members of the petitioner have been roped in the alleged occurrence. The petitioner had tried to resolve the differences between the complainant but she was not aware that she has been arrayed as an accused in the present FIR. The other accused who are family members of the petitioner had been appearing in the trial

Court and they told the petitioner not to appear as no role has been attributed to her. The entire proceedings to declare the petitioner as Proclaimed Offender were initiated during the lockdown period. Non-bailable warrants of arrest of the petitioner were ordered to be issued as per the order dated 24.07.2020 and petitioner was ordered to be served through proclamation under Sections 82 and 83 Code of Criminal Procedure as per order dated 17.08.2020. The petitioner was never served at the address where she is residing. As such, she was not aware of any proceedings against her. However, she is ready to join the trial.

3. A status report, dated 04.01.2024, by way of an affidavit of Sh. Harshpreet Singh, PPS, Assistant Commissioner of Police, Sub Division Cantonment, Jalandhar, has been filed by learned State counsel in Court today. The same is taken on record.

4. Learned State counsel has opposed the present petition by way of filing the aforesaid status report wherein it is alleged that the present FIR was registered on 12.11.2018 at the instance of the complainant against the petitioner and others with the allegations that the complainant had installed CCTV cameras in her house. About 02 months ago, the co-accused Amit, Shakeela @ Ravi and four other persons cut off the wires of their CCTV cameras and they have stopped to do the same but they said that they would not allow CCTV cameras to work. On 08.11.2018, Shakeela @ Ravi under the influence of alcohol used filthy language by standing in front of the entrance gate house of the complainant. All the accused started beating the husband of the complainant who raised an alarm which attracted the complainant and her mother-in-law. Accused Sunny with an intention of

insulting, caught hold the complainant from her arm and threw her in the street to outrage her modesty. She was slapped and was kicked her in her stomach despite that she was pregnant and even her cloths were torn. In the meanwhile, accused Rano, present petitioner Parveen, Sheetal, Amrita and other ladies caught hold of her and her mother-in-law and they have also beaten up the complainant. She was slapped on her face and was insulted. The husband of the complainant sustained injuries and was admitted in the hospital.

It is further informed through the status report that the petitioner and the co-accused Rano, Sunny, Amit, Amrita and Sheetal were declared Proclaimed Offender by the trial Court, as per the order dated 24.02.2021. Later on, the other accused except the petitioner were arrested and were released on bail by the trial Court and a supplementary '*challan*' qua them was filed on 08.10.2020 before the trial Court. The trial is pending against the said accused for 19.01.2024. The petitioner along with some of the accused could not be arrested. As such, they were declared Proclaimed Offender after publication of the proclamation and waiting for the appearance for 30 days.

6. Keeping in view the fact that the family members of the petitioner were appearing before the trial Court, the contention raised by the petitioner that she was not aware about the registration of the FIR against her cannot be believed. The FIR pertains to the year November, 2018 and for a period of more than 04 years the petitioner had avoided the process of law. There is no illegality found in the impugned order, whereby the petitioner was declared Proclaimed Offender. As such, no ground is made out for interference in the order passed by the trial Court.

7.           Consequently, the present petition is dismissed.
8.           However, it is made clear that nothing expressed hereinabove  
would be construed to be an expression of opinion on merits of the case.
9.           Pending miscellaneous application (s), if any, shall also stand  
disposed of.

January 10, 2024  
nitin

(HARPREET KAUR JEEWAN)  
JUDGE

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| Whether Speaking   | Yes |
| Whether reportable | No  |