



CRM-M-16737-2018 (O&amp;M)

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115+252 IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

CRM-M-16737-2018 (O&amp;M)

Date of decision: 21.01.2025

Satya Devi

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MRS. JUSTICE **AMARJOT BHATTI**

Present: Mr. Krishan Singh Dadwal, Advocate  
for the petitioner.

Mr. Rubal Pawar, Assistant Advocate General, Punjab.

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**AMARJOT BHATTI, J.****CRM-33303-2024**

This is an application for placing on record the certified copy of the order dated 13.05.2024 as Annexure A-1 in view of the order dated 11.07.2024 as well as keeping in view the peculiar facts and circumstances, which are being set out in the present application.

Learned State counsel as well as learned counsel for the complainant suffered no objection if present application is allowed.

For the reasons mentioned in the application as well as no objection by aforesaid counsels, same is allowed and the accompanied documents the certified copy of the order dated 13.05.2024 as Annexure A-1 is taken on record, subject to all just exceptions.

**Main case**

Petitioner-Satya Devi has filed the present petition under Section 482 Cr.P.C. for quashing of FIR No.10 dated 24.02.2016 under

Sections 304-B, 498-A and 34 IPC and Section 302 IPC added later on as



well as subsequent proceedings arising therefrom including order dated 05.09.2016 passed by Learned Judicial Magistrate 1<sup>st</sup> Class, Mukerian declaring the petitioner as proclaimed offender (Annexure P-7), in view of the judgment of acquittal passed by learned Additional Sessions Judge, Hoshiarpur dated 27.02.2018 (Annexure P-10) whereby co-accused facing trial in this case were acquitted.

2. Learned counsel for the petitioner argued that petitioner was wrongly declared proclaimed person under the provisions of Section 82 Code of Criminal Procedure. She was not hiding from the police. She was under wrong impression that she has been declared innocent. Therefore, her presence was not required. When she came to know about the proclamation proceedings, she filed **CRM-M-27242-2017** titled as “*Satya Devi Vs. State of Punjab*” in which the Coordinate Bench disposed of the petition by passing conditional order dated 29.08.2017 (Annexure P-8) that in case petitioner appears before the trial Court within 2 weeks from the date of order she will file appropriate application and the Court shall pass necessary orders within two weeks. She could not appear before the Court due to her illness, medical prescription slip is (Annexure P-9). She is still not keeping good health. In the meantime, other co-accused husband and son of petitioner were acquitted by the trial Court in Sessions case CIS No.269 of 16.09.2016 vide judgment dated 27.02.2018 (Annexure P-10). In the light of this, petitioner has filed present petition.

3. Learned counsel for the petitioner at the very beginning pointed out that he restricts his claim regarding quashing of proclamation order dated 05.09.2016 (Annexure P-7) as petitioner is ready to face trial before the trial Court. It is pointed out that in pursuance of order dated



07.05.2024 passed by the Coordinate Bench, she has already appeared before the learned Judicial Magistrate 1<sup>st</sup> Class, Hoshiarpur (Duty) and has furnished the bail bonds and surety bonds which are duly accepted and attested vide order dated 13.05.2024 (Annexure A-1). It is prayed that impugned order dated 05.09.2016 declaring her proclaimed person may kindly be set aside.

4. Learned counsel representing State has already filed detailed status report, confirming the aforesaid factual position. It is pointed out that present petitioner had failed to comply with the direction of this Court passed in CRM-M-27242-2017 judged dated 29.08.2017 (Annexure P-8). Therefore, present petition deserves dismissal.

5. I have considered the aforesaid factual position. There is a prayer by the petitioner for quashing of order dated 05.09.2016 passed by Learned Judicial Magistrate 1<sup>st</sup> Class Mukerian declaring her proclaimed person. Copy of judgment dated 27.02.2018 passed by Learned Additional Sessions Judge, Hoshiarpur (Annexure P-10) indicates that Lakhbir Singh and Balbir Singh faced trial and ultimately they were acquitted of the charge framed against them whereas present petitioner-Satya Devi did not face trial as she was declared proclaimed person. In the present case, petitioner has complied the order dated 07.05.2024 passed by the Coordinate Bench and has put her appearance before the Court. Copy of order dated 13.05.2024 (Annexure A-1) is also placed on record.

6. Considering the aforesaid factual position, compliance is already done. Therefore, impugned order dated 05.09.2016 is quashed by accepting the petition to this extent. No further direction is required. Illaqa Magistrate/ Duty Magistrate/Trial Court to proceed with the trial of present



petitioner as per law. Copy of this order be also sent to the concerned Police Station.

- 7. Petition is accordingly disposed of.
- 8. Pending miscellaneous application(s), if any, stand disposed of accordingly.

(AMARJOT BHATTI)  
JUDGE

21.01.2025  
monika

- 1. Whether speaking/ reasoned : Yes /No
- 2. Whether reportable : Yes /No