



119

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-22454-2025
Date of Decision:- 09.07.2025

SATNAM SINGH

....Petitioner

Vs.

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Ms. Mehak Bedi, Advocate for the petitioner.

Mr. Kunwarbir Singh, Assistant A.G., Punjab.

AMARJOT BHATTI, J.

1. Petitioner Satnam Singh has filed instant petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of order dated 17.08.2024 (Annexure P-10) passed by learned Additional Chief Judicial Magistrate, Kapurthala whereby he was declared proclaimed offender in FIR No.64 dated 14.07.2012 under Sections 498-A of IPC registered at Police Station Sadar Kapurthala, District Kapurthala (Annexure P-1).

2. Learned counsel for the petitioner denied the allegations detailed in the FIR. He was residing abroad and never came to India after



2012. When he came to know about the proclamation proceedings, he filed present petition. It is pointed out that he was wrongly declared proclaimed person knowing fully well that he was not in India when the proceedings were initiated in the aforesaid FIR.

3. As per order dated 13.05.2025 operation of impugned order dated 07.08.2024 (Annexure P-10) was kept in abeyance and he was directed to surrender before the trial Court/Duty Judge on or before 29.05.2025 and be released on interim bail.

4. Learned counsel for the petitioner pointed out that in compliance to this order he has also surrendered and appeared before the trial Court.

5. Status report has been filed confirming the factual position. It is conceded that in pursuance of interim bail, petitioner has surrendered before the trial Court and was released on bail, therefore, petitioner has duly complied the directions given in order dated 13.05.2025.

6. I have considered the aforesaid factual position. FIR was registered on account of matrimonial dispute. Earlier petitioner was residing abroad, therefore, he could not join the investigation nor he was available to face the trial. The absence of petitioner is evident even from the interlocutory orders passed by Additional Chief Judicial Magistrate where it was reported that he had gone to Dubai. Purpose of issuing process and declaring him proclaimed person was to procure his presence to join the investigation and face the trial.



7. Petitioner has already appeared before the trial Court, therefore, considering these facts, petition filed by the petitioner is allowed and impugned order dated 17.08.2024 (Annexure P-10) is accordingly set aside and the interim relief granted in favour of petitioner stands confirmed.

8. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(AMARJOT BHATTI)
JUDGE

09.07.2025
snd

Whether speaking/reasoned : Yes/No.
Whether reportable : Yes/No