



**IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH.**

**CRM-M-36009-2024**

**Date of Decision:-12.08.2025**

**Karmjeet Kaur.**

.....Petitioner.

Vs.

**State of Punjab & Anr.**

.....Respondent.

**CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI**

Present:- Mr. Shivinder Singh, Advocate for  
Mr. Brijeshwar Singh Bhalla, Advocate for the Petitioner.

Mr. Harkanwar Jeet Singh, Assistant Advocate General, Punjab.

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**JASJIT SINGH BEDI, J.(ORAL)**

The prayer in this petition under Section 482 Cr.PC is for setting aside the order dated 12.07.2016 (Annexure P-7) passed by Sub Divisional Judicial Magistrate, Baghapurana, vide which the petitioner was declared proclaimed person in FIR No.101 dated 08.07.2015 (Annexure P-1) under Sections 420, 120-B IPC registered at P.S. Baghapurana, District Moga.

2. The brief facts of the case are that complainant moved an application before the Senior Superintendent of Police, Moga with the allegations that he came into contact with Jaswinder Singh Bhalla and Surjit Singh and they informed him that there was a girl in their contact who was permanently residing in America. She was a divorcee and had a female child aged 2 years from her first marriage. The accused told him that they



would solemnize his marriage with said girl and they demanded Rs.30 lakhs from him as expenses and he agreed for the same. The girl was Karamjit Kaur daughter of Amarjit Singh to village Lande, Tehsil Baghapurana and her date of birth was 17.07.1987. After that Amarjit Singh son of Shamsheer Singh, Jaswinder Singh and Surjit Singh visited his house for fixing the marriage. They decide the date as 01.04.2014 for the shagun ceremony. On the date fixed i.e. 01.04.2014 Amarjit Singh performed the Shagun ceremony his (complainant's) at my house in village Mari Mustfa. Photographs of the ceremony were also clicked. The Shagun ceremony was held on 01.04.2014. On the same day as per the demand of the accused he paid Rs.16,50,000/-. After the Shagun ceremony they informed him that Karamjit Kaur would visit India in the month of May 2014. However, Karamjit Kaur did not visit India. When he approached the accused, they started making false excuses to him. In this way the accused persons had played a fraud with him.

3. On the basis of the said application, an enquiry was conducted by Deputy Superintendent of Police (Investigation), Moga and during enquiry all the allegations levelled by the complainant were found to be genuine. After obtaining legal opinion the instant case was registered.

4. During investigation of the case, on 23.07.2015 accused Amarjit Singh was arrested by the police on the basis of production warrants, whereas accused Surjit Singh and Jaswinder Singh have joined the investigation on 19.08.2015, in compliance of an order of this Court.

5. After completion of investigation qua Amarjit Singh, Challan against him was presented before the Trial Court on 18.09.2015.

6. After completion of investigation supplementary challan against



Surjit Singh and Jaswinder Singh was presented before the Trial Court on 23.02.2016. The petitioner was summoned to face trial as an additional accused under Section 319 Cr.PC.

7. As the petitioner succeeded to conceal herself she was declared as proclaimed offender vide order dated 12.07.2016 (Annexure P-7).

8. During the trial of the case, accused Surjit Singh died and after conclusion of trial accused Amarjit Singh and Jaswinder Singh were convicted and sentenced to undergo RI for 3 years and to pay fine of Rs.5000/- in offence u/s 420 IPC and to undergo RI for 6 months alongwith fine of Rs.1000/- in offence u/s 120-B IPC, vide judgment dated 15.12.2022 (Annexure R-1).

9. The Counsel for the petitioner contends that the petitioner was summoned under Section 319 Cr.PC . She has not returned to India after 2012 whereas FIR was lodged on 08.07.2015 and the petitioner was declared a proclaimed person on 12.07.2016. The provisions of Section 82 Cr.PC have not been complied with. He therefore prays that the impugned order is liable to be set aside.

10. The Counsel for the State on the other hand contend that the petitioner is the daughter of Amarjit Singh and was the person who was to marry the complainant for which he paid a huge amount of money. The co-accused stands convicted. Therefore, the petitioner ought to return back to India and face trial and the present petition is liable to be dismissed.

11. I have heard Counsel for the parties.

12. At the very first instance, this Court had asked the counsel for the petitioner to seek instructions as to whether the petitioner was ready and willing to come back to face proceedings and in case she did choose to do so



some protection would be accorded to her. On instructions being sought, the counsel informed the Court that the petitioner was no ready and willing to return back to India and that he wishes to withdraw the instant petition.

13. A perusal of the file reveals that the FIR pertains to the year 2015. The petitioner was summoned under Section 319 Cr.PC and thereafter declared a proclaimed person on 12.07.2016. She has filed the instant petition in the year 2024 i.e. 08 years after the impugned order came to be passed. Despite being shown indulgence, the petitioner has chosen not to come back to face proceedings but has made a request to withdraw the petition. Apparently, the intention was to get the impugned order quashed and then never come back to India to face trial.

14. This Court in similar circumstances in ***Gurmit Kaur @ Malkiat Kaur @ Meeto Vs. State of Punjab & Anr. CRM-M-51577-2023 Decided on 15.12.2023*** held as under:-

“6. A perusal of the facts would reveal that FIR pertains to the year 1999. The petitioner was summoned under Section 319 Cr.PC and thereafter declared a proclaimed offender in 2003. She filed the instant petition in 2023 i.e. after 20 years of the order whereby she had been declared a proclaimed offender. Despite being shown indulgence the petitioner did not return back to face proceedings in accordance with law and a request was made to withdraw the petition. It is apparent that the idea was to obtain an interim order and keep the matter lingering on thereafter. However, even if the order dated 24.03.2003 (Annexure P-10) declaring the petitioner a proclaimed offender was quashed, the petitioner would not come back to face the Trial as is evident from her conduct. In more or less similar circumstances, this Court in ***Narinder Pal @ Nandu Vs. State of Punjab &***



Anr. CRM-M-45553-2022 Decided on 16.03.2023, Iqbal Singh Sumbal Vs. State of Punjab & Ors. CRM-M-24987-2022 Decided on 01.05.2023 & Sukhdev Singh Vs. State of Punjab CRM-M-26156-2021 Decided on 10.08.2023, had declined to grant relief to the petitioners therein.

7. In view of the above discussion, I find no merit in the present petition and the same stands dismissed.”

15. In view of the above discussion, I find no merit in the present petition and the same stands dismissed.

( JASJIT SINGH BEDI )  
JUDGE

August 12, 2025  
Vinay

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |