



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

CRM-M-37202-2025 (O&M)

Date of Decision: 16.07.2025

AVTAR SINGH

...Petitioner

V/S

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ajaypal Singh Rehan, Advocate
for the petitioner.

Mr. Subhash Godara, Addl. AG Punjab.

HARPREET SINGH BRAR J. (Oral)

1. The present petition has been filed under Section 528 of Bhartiya Nagrik Suraksha Sanhita, 2023 seeking quashing of the order dated 18.12.2022 (Annexure P-4) passed by learned Judicial Magistrate Ist Class, Hoshiarpur vide which the petitioner has been declared as proclaimed person in case bearing FIR No. 04 dated 05.01.2021 registered under Sections 323, 452, 148 and 149 of Indian Penal Code (for short 'IPC') (Section 201 of IPC added later on) at Police Station Mehtiana District Hoshiarpur.

2. Learned counsel appearing for the petitioner *inter alia* contends that initially, the petitioner was granted bail by the trial Court and thereafter the matter stood compromised between the parties vide compromise deed dated 13.07.2023 (Annexure P-3) and the petitioner was under the bona fide impression that case would be disposed of on the basis of compromise and his presence would not be required, hence, the petitioner did not put in appearance before the learned trial Court and eventually was declared as proclaimed person by learned Judicial Magistrate Ist Class, Hoshiarpur vide the impugned order dated 18.12.2022 (Annexure P-4). Learned counsel further contends that petitioner was declared as proclaimed person vide the impugned order



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counsel appearing for the State during the course of the day.

Without commenting on the validity of the marriage allegedly performed by the petitioners and entering upon an exercise to evaluate the evidentiary value of the documents placed on the file, I dispose of this petition with direction to respondent No.2 to decide the representation of the petitioners (Annexure P-5) within a period of one week from the date of receipt of a copy of this order and grant them protection, if there is any threat to their life and liberty in accordance with law.

It is made clear that this order shall not be taken to protect the petitioners from legal action for violation of law, if any committed by them.

(HARPREET SINGH BRAR)
JUDGE

16.07.2025
Ajay Goswami

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>