



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

CRM-M-63010-2024
Date of decision: 03.03.2025

Joginder Pal Mehra and another ...Petitioners

Versus

State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Raman Kumar, Advocate for the petitioners.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioners seeking quashing of order dated 08.05.2019 Annexure P-4 passed by the Court of Judicial Magistrate Ist Class, Jalandhar vide which the petitioners are declared as proclaimed offenders in a criminal case having FIR No.87 dated 21.05.2018, under Sections 406, 420, 120-B IPC and Section 24 of Immigration Act and Section 13 of Punjab Travel Professionals Regulation Act, Police Station Maqsudan, District Jalandhar.

2. Notice of motion.

3. Mr. J.S. Dhaliwal, AAG, Punjab, accepts notice on behalf of respondent No.1-State. Mr. Rahul Garg, Advocate has put in appearance on behalf of the complainant/respondent No.2 and filed power of attorney.

4. The counsel appearing on behalf of the petitioners submits that both the petitioners are permanent residents of New Delhi and they were not aware of the pendency of any such criminal case and they never received any summons or warrants issued by the Court concerned. It is further submitted



that in the given circumstances, it is apparent that no proper procedure was followed by the Court concerned, as per the mandate of Section 82 Cr.P.C before passing the impugned order Annexure P-4. It is further submitted that now the matter has been compromised with the complainant and the petitioners are ready and willing to join the proceedings before the trial Court, at the earliest.

5. The State counsel while resisting the present petition submits that there is no illegality or perversity in the impugned order Annexure P-4. However, the counsel appearing on behalf of respondent No.2 pleaded no objection if the present petition is allowed. He further apprised the Court that now parties have entered into compromise (Annexure P-5).

6. In the given circumstances, as the petitioners are ready and willing to join the proceedings before the trial Court, without any delay and further it appears that now the parties have effected amicable settlement, the present petition is allowed in the interest of justice and in order to avoid any further delay in the trial. Consequently, impugned order dated 08.05.2019 (Annexure P-4) is set aside, subject to cost of Rs.10,000/- which is to be deposited by the petitioners with the District Legal Services Authority concerned, within a period of next 10 days.

03.03.2025

Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No