



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

145

CRM-M-61956-2025

Date of decision: 01.04.2026

Navjot Kaur @ Priya Gill

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MS. JUSTICE AARADHNA SAWHNEY

Present : Mr. B.S. Bhalla, Advocate for the petitioner.

Mr. Kamalpreet Bawa, DAG, Punjab.

Mr. S.P. Singh, Advocate for

Mr. Navjot Kaur, Advocate for respondent No.2.

AARADHNA SAWHNEY, J.(ORAL)

1. Challenge in the present petition is to order dated 07.09.2024 (Annexure P-2) passed by learned Additional Chief Judicial Magistrate, Rupnagar, vide which petitioner, an accused in case FIR No.77 dated 29.05.2017 registered against him for commission of offence punishable u/s 323, 324, 506, 452, 34 IPC at P.S. Morinda, District Rupnagar, was declared as '*Proclaimed Person.*'

2. During his brief submissions, learned counsel for the petitioner contends that after lodging of the aforesaid criminal proceedings, petitioner was granted the concession of interim bail vide order 23.01.2018, which was later made absolute vide order dated 22.02.2018. She had been regularly appearing before the Court concerned. But due to circumstances beyond her control, she could not attend the Court proceedings regularly and on account of her unintentional absence, vide order dated 23.10.2023, her bail was cancelled, personal bonds, surety bonds were also cancelled and forfeited to state and her presence was sought to be procured through NBWs.

Learned counsel next contends that despite the fact that NBWs issued by the Court concerned were never received back executed, however the learned trial Court wrongly presumed that petitioner is intentionally



avoiding to appear before the Court and that for the said reason her presence cannot be procured through ordinary means. Resultantly, Proclamation Proceedings were initiated and finally vide impugned order dated 07.09.2024, petitioner was declared as '*Proclaimed Person.*'

Learned counsel further contends that petitioner suffered huge emotional setbacks one after the other, as she initially lost her younger brother, who committed suicide, followed by the tragic death of the older brother. Worse still, she later also lost her mother. It was on account of these compelling circumstances that petitioner could not appear before the Court concerned.

The next line of argument raised by learned counsel for the petitioner is that on account of intervention made by respectables of the village, the matter has been amicably resolved between both the parties. Attention of the Court has also been drawn to the compromise deed dated 11.09.2025, Annexure P-6, appended along with the petition bearing signatures of all concerned. Learned counsel further contends that in view of the said compromise, in the trial of the other accused, complainant party (Manpreet Singh-PW6 and Rajwinder Kaur-PW7) while appearing in the witness box did not support their initial stand, resiled from their statements given to the police authorities. Resultantly, finding nothing incriminating against the said accused (Prabhjot) already facing trial, the learned trial Court vide judgment dated 06.01.2026 (Annexure P-9) acquitted him of the charges levelled against him.

Continuing further, learned counsel submits that learned trial Court hastily proceeded to cancel the bail of the petitioner, who did not intentionally remained absent. It is in the light of submissions advanced hereinabove and documents placed on record that learned counsel for the petitioner prays for taking a lenient view in her favour.

3. Heard. Documents on record perused.



4. In the case in hand, it is evident from the copies of interim orders passed by the learned trial Court (appended along with petition) that repeated non-bailable warrants had been issued to procure presence of petitioner, which were received back unexecuted, however, learned Judge assumed that petitioner is deliberately avoiding to appear in the Court and thus, initiated Proclamation Proceedings, which is not in 'sync' with the procedural requirements of Section 82 Cr.P.C.

5. In the interest of justice, considering the facts and circumstances of the case and submissions advanced by learned counsel for the petitioner, the impugned order dated 07.09.2024 (Annexure P-2), is set aside. Petition is disposed of with a direction to the petitioner to appear before the Court concerned within a period of 15 days from today. On her appearance before the Court concerned, **she shall be readmitted to bail on her furnishing fresh bail bonds/surety bonds to the satisfaction of learned trial Judge.** She is also directed to furnish an undertaking by way of an affidavit that she will appear on each and every date of hearing before the trial Court, unless specifically exempted by the Court. She shall not leave the country without prior permission of the Court. The trial Court may impose any other condition that it may deem appropriate in the facts and circumstances of the present case.

6. Before parting with this order, it is made abundantly clear that in case the petitioner does not adhere to the aforesaid, the present petition shall be deemed to have been dismissed without any reference to this Court.

(AARADHNA SAWHNEY)
JUDGE

01.04.2026

Hemant

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