



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

**CRM-M-21178-2026 (O&M)
DECIDED ON: 21.04.2026**

PALVINDER SINGH AND ANOTHER

.....PETITIONERS

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present: Mr. Abhay Kumar Sharma, Advocate for the petitioners.

MANDEEP PANNU, J (ORAL)

1. The present petition has been preferred under Section 482 Cr.P.C. for quashing of the order dated 30.03.2026 (Annexure P-3) passed by Judicial Magistrate Ist Class, Phagwara in case titled as 'State of Punjab vs Gurdhiyan Singh and others' in FIR No.89, dated 11.08.2021, under Sections 419, 420, 467, 468, 471, 120-B IPC (corresponding Sections 319(2), 318(4), 338, 336(3), 340(2), 61(2) of BNS), at Police Station Sadar Phagwara, District Kapurthala vide which the petitioners have been declared as proclaimed persons, on the basis of compromise dated 02.01.2026 (Annexure P-5).

2. Learned counsel for the petitioners submits that the petitioners were declared proclaimed persons vide order dated 30.03.2026 (Annexure P-3). He further contends that the petitioners had earlier filed an application for grant of pre-arrest bail before the learned Additional Sessions Judge, Kapurthala on 24.02.2026 in case bearing No. BA/432/2026 titled *Palvinder Singh & Anr. vs. State of Punjab*, which came to be dismissed on 17.03.2026



(Annexure P-4), thereby indicating their willingness to appear before the trial Court and face the proceedings. It is further contended that the proclamation order dated 30.03.2026 is illegal and unsustainable in the eyes of law, as the mandatory provisions of Section 82 Cr.P.C. (now Section 84 of the Bharatiya Nagarik Suraksha Sanhita, 2023) were not complied with as no proclamation was ever affixed at conspicuous part of the house of the petitioners nor in the village nor it was read out in public at large in the village. Learned counsel also contends that a compromise dated 02.01.2026 (Annexure P-5) was arrived at between the parties voluntarily, with the intervention of respectable members of society and without any coercion. Therefore, it is submitted that the impugned order is legally unsustainable and is liable to be set aside.

3. He further submits that the petitioners undertake to appear before the trial Court on each and every date of hearing.

5. Notice of motion.

6. On the asking of the Court, Mr. Sahil Chowdhary, AAG, Punjab, accepts notice on behalf of the respondent-State. He seeks dismissal of the present petition on the ground that the petitioners were rightly declared as proclaimed persons after following due procedure as prescribed under law.

7. Having heard learned counsel for the parties and upon perusal of the record with their able assistance, this Court is of the considered view that a compromise has been duly effected between the parties vide compromise deed dated 02.01.2026 (Annexure P-5), this Court is of the view that the petitioners can be directed to appear before the trial Court, so that trial may resume. Accordingly, plea of the petitioners is accepted.



Impugned order dated 30.03.2026 (Annexure P-3) is set aside to the extent of declaring the petitioners as 'proclaimed persons' and they are directed to be released on bail, in the eventuality of surrender by them before the trial Court.

8. The petitioners shall also furnish fresh bail bonds/surety bonds to the satisfaction of the trial Court. Besides, petitioners will also submit undertaking/affidavit that they will keep appearing during the proceedings of the trial in future and the proceedings will not be delayed because of their conduct.

9. It is made clear that in case, petitioners fail to appear before the trial Court within a stipulated period, this order shall be deemed to be vacated.

10. With aforementioned terms, present petition stands disposed of.

11. All pending miscellaneous application(s), if any, stands disposed of.

21.04.2026

Poonam Negi

**(MANDEEP PANNU)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*