

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

CRM-M-36975-2014

Date of decision: 16.9.2015

Kuldeep Singh Ghumman

...Petitioner

Versus

State of Punjab & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Vivek K. Thakur, Advocate for the petitioner.

Mr. Shilesh Gupta, Addl. Advocate General, Punjab.

Mr. Vishal Satija, Advocate for respondent No.2.

Rajan Gupta, J.

In this petition, petitioner seeks quashing of FIR No.61 dated 15.07.2003, under sections 406, 420, 120-B IPC and 24 of Immigration Act, 1983, registered at Police Station Sadar Kapurthala, alongwith all subsequent proceedings, on the basis of compromise.

Learned counsel for the petitioner has asserted that he has returned the entire amount. A compromise has been arrived at. Thus, FIR deserves to be quashed.

Prayer has been opposed by the State counsel. According to him, petitioner was declared a proclaimed offender, vide order dated 12.4.2006. He neither associated with the investigation nor trial. Thus, prayer for quashing on the basis of compromise is misconceived.

FIR was registered on complaint of Kuldeep Singh son of Ajit Singh. He alleged that he had paid Rs.7,50,000/- to accused Kuldeep

Singh Ghumman and Rajesh Sharma for the purposes of sending him to U.S.A. Accused did not adhere to the promise. However, an amount of Rs.45,000/- was returned. During investigation both the accused absconded. Petitioner was declared a proclaimed offender vide order dated 12.04.2006. Quashing of FIR is sought on the ground that accused Kuldeep Singh Ghumman has entered into compromise with the complainant Kuldeep Singh. As both accused are absconding and have been declared proclaimed offenders, prayer for quashing of FIR is misconceived.

Dismissed.

(RAJAN GUPTA)
JUDGE

16.9.2015
'Rajpal'