

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

CRM M-18828 of 2015

Date of decision : 11.04.2016

Lakhbir Singh @ Sukha & anr.

....Petitioners

V/s

State of Punjab & anr.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. G.C. Rattan, Advocate for the petitioners.

Mr. K.S. Pannu, DAG Punjab.

RAJAN GUPTA J.

This is a petition under section 482 Cr.P.C. seeking quashing of FIR in question on the basis of compromise.

Learned counsel for the petitioners submits that after registration of FIR, a compromise was arrived at between the parties. Thus, FIR deserves to be quashed. He has relied upon orders passed by this court in CRM M-16316 of 2014 titled as *Sangeeta & anr. vs. State of UT Chandigarh and another* and CRM M-37594 of 2014 titled as *Davinder Singh vs. State of Punjab & anr.*

Learned State counsel has opposed the prayer. According to him, both the petitioners were declared proclaimed offenders on 18.11.2015 after their bail application was declined. According to him, it has not been possible for the investigating agency to proceed further with the matter as petitioners absconded during pendency of investigation.

I have heard learned counsel for the parties.

FIR was lodged on the statement of Baljit Kaur. She stated that she got married to Daljit Singh. Her sister-in-law namely Paramjit Kaur was not happy with the alliance. Her husband was continuously harassed. On 13.07.2014, her husband left the house at about 7.30 a.m. to report for his duty. At 9.00 a.m. he called the complainant and told that he had consumed some poisonous substance due to harassment meted out by the accused. She reached the spot alongwith certain respectables of the village. Her husband, however, died on the same day at 4.00 P.M. As a result of the FIR, investigation ensued. Stand of the investigation agency is that during pendency of investigation, petitioners were granted interim bail in CRM M-31887 of 2014. They joined the investigation but absconded thereafter. As a result they were declared proclaimed offenders on 18.11.2015.

Under the circumstances, instant petition for quashing of FIR on the basis of compromise cannot be entertained as both the petitioners are proclaimed offenders. Judgments in *Sangeeta's* and *Davinder Singh's* cases (supra) cannot help the case of the petitioners as there is nothing to show that accused in said cases had absconded during investigation and were declared proclaimed offenders. Petition is without any merit and same is hereby dismissed.

April 11, 2016

Ajay

(RAJAN GUPTA)
JUDGE