

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

CRM-M-4164-2020

Date of Decision: 19.07.2022

Preeti and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Ms. Gurkanwal Kaur, Advocate for
Mr. Sandeep Arora, Advocate,
for the petitioners.

Mr. Harbir Sandhu, AAG, Punjab.

Mr. G.S.Rawat, Advocate,
for respondents No.2 and 3.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioners seek quashing of FIR No.167 dated 14.12.2019, registered at Police Station Basti Bawa Khel, District Jalandhar, under Sections 420, 406, 467, 468, 471 and 120-B IPC and Sections 4 and 5 of the Prize Chits and Money Circulation Schemes (Banning) Act, 1978, alongwith all the subsequent proceedings arising therefrom, on the basis of compromise/affidavits duly sworn by respondents No.2 and 3.

Learned counsel for respondents No.2 and 3 does not dispute the factum of the compromise effected between the parties.

However, learned State counsel, on instructions from ASI Jasbir Singh, submits that vide order dated 18.11.2020 passed by learned Judicial Magistrate Ist Class, Jalandhar, the petitioners have been declared proclaimed offenders.

I have heard the learned counsel for the parties

In the present case, the petitioners seek quashing of the impugned FIR, on the basis of the compromise. However, in the present case, the petitioners were declared proclaimed offenders on 18.11.2020 and they have not appeared before the Illaqa Magistrate till date and they are still absconding. The inherent powers conferred on this Court, can be exercised to secure the ends of justice or to prevent an abuse of the process of the Court. The said aspect lacks in the present case.

This Court finds that the effecting of a compromise between the parties, is no ground to quash the FIR, particularly when the above-noted FIR was registered on 14.12.2019 and the petitioners-accused were declared proclaimed offenders as back as on 18.11.2020 and they have never bothered to cause appearance and surrender before the Illaqa Magistrate/Investigating Agency. The contumacious default in evading the process of law, does not make it a fit case to exercise the inherent powers under Section 482 Cr.P.C. and quash the criminal proceedings qua the petitioners.

Therefore, finding no merit in the present petition, the same is dismissed.

19.07.2022

parveen kumar

(HARNARESH SINGH GILL)

JUDGE

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