

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

CRM-M-39766-2019

Date of decision: 24.01.2023

Rajwinder Singh

.....Petitioner

versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: None for the petitioner.

Mr. Anup Singh, A.A.G., Punjab.

NAMIT KUMAR, J. (ORAL)

Present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.27 dated 26.03.2019 under Sections 420 & 406 of IPC and Section 24 of the Immigration Act, registered at Police Station Division No.1, District Pathankot, on the basis of compromise as stated in order dated 20.07.2019 (Annexure P-2).

On the last date of hearing i.e. 14.09.2022, following order was passed:-

'As per report of the learned Additional Chief Judicial Magistrate, Pathankot dated 19.10.2019, the parties did not appear for recording of their statements.

The learned State counsel has brought to the notice of this Court the order dated 06.09.2022, whereby, the petitioner has been declared a proclaimed person and proceedings under Section 174-A of IPC have been ordered to be initiated against him.

There is no representation on behalf of the petitioner.

In the interest of justice, adjourned to 24.01.2023.'

Learned counsel for the petitioner was not present on the last date of hearing and today also, he is not present.

Since the petitioner has already been declared a proclaimed offender and proceedings under Section 174-A of IPC have been initiated against him, therefore, the impugned FIR cannot be quashed on the basis of compromise.

As neither of the party appeared before the trial Court for recording of their statement and in view of the above, the present petition is dismissed.

24.01.2023

ps-I

(NAMIT KUMAR)
JUDGE

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