



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

339**CRM-M-41974-2024****Date of decision: 09.12.2024**

Vishal Prabhkar

....Petitioner

V/s

State of Punjab and another

....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr.Sandeep Wadhawan, Advocate, for the petitioner.

Mr.Shiva Khurmi, AAG, Punjab.

Mr.Suvir Tandon, Advocate for complainant-respondent No.2

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is for quashing of FIR No.201 dated 24.09.2013 under Sections 420 of the Indian Penal Code registered at Police Station Cantonment Amritsar, District Amritsar, as well as order dated 15.10.2018 vide which the petitioner has been declared a proclaimed offender, and all consequential proceedings arising out of the same, on the basis of compromise dated 03.10.2013 (Annexure P-2) arrived at, between the parties.

2. Vide order dated 02.09.2024 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 09.09.2024 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Chief Judicial Magistrate, Amritsar, in pursuance of the directions of this Court, wherein,



the factum of the compromise arrived at between the parties stands verified and confirmed. As per the report, compromise has indeed been effected between the parties and the same is without any pressure or coercion and out of their free will and the complainant has also made statement to the effect that she would have no objection if the FIR *qua* the accused-petitioners is quashed.

4. The Trial Court has annexed the copy of statements of the parties, alongwith its report.

5. Learned State counsel has also not disputed, on instructions, that the compromise in question had come into existence much prior to the petitioner being declared a proclaimed offender. He further submits that there are no other accused other than the petitioners and respondent No.2 is the only aggrieved person in the FIR in question.

6. On the last date of hearing also, learned counsel for the complainant-respondent No.2 has not disputed the date of the compromise as well as its contents.

7. In the circumstances and in view of the report of the learned Chief Judicial Magistrate, Amritsar and the principles laid down by Hon'ble the Apex Court in *Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303*, and also by the Full Bench of this Court in *Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, the instant petition is allowed. The aforesaid FIR as well as order declaring the petitioner as proclaimed offender along with all consequential proceedings arising out of it, are quashed qua the petitioner.



8. Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

(MANJARI NEHRU KAUL)
JUDGE

December 09, 2024
poonam

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