



CRM-M-46396-2024

::1::

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

(270)

CRM-M-46396-2024 (O &M)

Date of Decision:-11.09.2025

Vishal Prabhakar

.....Petitioner.

Vs.

State of Punjab and anr.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

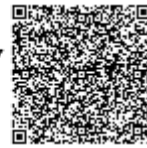
Present:- Mr. Sandeep Wadhawan, Advocate with
Mr. Gurjot Singh, Advocate for the Petitioner.

Mr. M.S. Toor, AAG, Punjab.

JASJIT SINGH BEDI, J.(ORAL)

This is a petition under Section 482 of Cr.P.C. for quashing of the FIR No.172 dated 24.10.2019 under Section 174-A IPC, registered at Police Station Cantonment, Amritsar which was registered consequent to the order dated 15.10.2018 (Annexure P-4) passed by the Judicial Magistrate, Ist Class, Amritsar declaring the petitioner as a proclaimed offender in an FIR No.201 dated 24.09.2013 under Section 420 IPC, Police Station Cantonment, Amritsar along with all the consequential proceedings arising out of the same.

2. The brief facts of the case are that FIR No.201 dated 24.09.2013 under Section 420 IPC, Police Station Amritsar Cantonment, Amritsar, came to be registered on the allegations that the petitioner had opened an office in the name of World Travel Immigration and for sending the son of the



complainant-Avtar Singh, the accused-petitioner demanded a sum of Rs.7,00,000/-. The complainant had given a total sum of Rs.2,60,000/- to the petitioner but his son was never sent abroad. Thus, on account of cheating committed by the accused-petitioner, the complainant-Avtar Singh got registered the aforesaid FIR (Annexure P-1). Thereafter, a compromise vide compromise deed dated 03.10.2013 (Annexure P-3) was effected between the parties. However, the police got issued non-bailable warrants of arrest against the petitioner after about a period of 05 years of the registration of the FIR No.201 dated 24.09.2013 (Annexure P-1). Due to non-appearance of the accused-petitioner, he was declared a proclaimed person vide impugned order dated 15.10.2018 (Annexure P-4). Consequently, the impugned FIR No.172 dated 24.10.2019 under Section 174-A IPC, Police Station Cantonment, Amritsar came to be registered.

3. The learned counsel for the petitioner/accused submits that a compromise dated 03.10.2013 (Annexure P-2) has been arrived at much prior to the passing of the impugned order dated 15.10.2018 (Annexure P-4) and the registration of the impugned FIR No.172 dated 24.10.2019 (Annexure P-9). Therefore, he had wrongly been declared a proclaimed person. He has placed on record a copy of the order dated 09.12.2024 passed in a criminal miscellaneous petition bearing No. CRM-M-41974-2024 titled as '*Vishal Prabhakar versus State of Punjab and another*' whereby the FIR No. 201 No.201 dated 24.09.2013 under Section 420 IPC, Police Station Cantonment, Amritsar and all consequential proceedings arising therefrom have been quashed qua the petitioner on the basis of a compromise (Annexure P-2). He, therefore, prays that the impugned FIR No.172 dated 24.10.2019 (Annexure P-9), the impugned order dated 15.10.2018 (Annexure P-4) and all consequential proceedings arising



therefrom be quashed.

4. The learned State Counsel has opposed the present petition and has submitted that the FIR has rightly been registered.

5. I have heard the learned counsel for the parties.

6. Admittedly, FIR No.201 dated 24.09.2013 under Section 420 IPC, Police Station Cantronment, Amritsar and the proceedings arising therefrom stand quashed on the basis of a compromised deed dated 03.10.2013 (Annexure P-2) qua the accused-petitioner in terms of the order dated 09.12.2024 passed in CRM-M-41974-2024.

7. In view of the above, the present petition is allowed and the FIR No.172 dated 24.10.2019 under Section 174-A IPC, registered at Police Station Cantonment, Amritsar (Annexure P-9), impugned order dated 15.10.2018 (Annexure P-4) passed by the Judicial Magistrate, Ist Class, Amritsar along with all subsequent proceedings arising therefrom are hereby quashed qua the petitioner.

(JASJIT SINGH BEDI)
JUDGE

September 11, 2025
sukhpreet

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>