

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

125

CRM-M-13686-2018

Date of Decision: April 04 , 2018

Dharambir

.....Petitioner

versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Y.P. Singla, Advocate for the petitioner.

Sudhir Mittal, J. (Oral)

The petitioner seeks quashing of FIR No.572, dated 23.10.2017, under section 174-A IPC, registered at Police Station Kotwali, District Faridabad, on the basis of compromise dated 23.03.2018.

2. The petitioner was an accused in complaint under section 138 of the Negotiable Instruments Act, 1881, preferred by respondent No.2. His presence could not be procured even through warrants of arrests and therefore a proclamation was issued against him. Consequently, the petitioner was declared as proclaimed offender and the present FIR was registered against him.

3. Notice of motion.

4. Mr. Pardeep Sharma, AAG, Haryana, accepts notice on behalf of the respondent-State. Let two copies of complete paperbook be supplied to him during the course of the day. Mr. Kunal Muthreja, Advocate puts in appearance on behalf of respondent No.2.

5. Meanwhile, the parties had entered into a compromise dated

1881, was withdrawn.

6. It is submitted by learned counsel for the petitioner that a compromise dated 23.03.2018 (Annexure P-3) has been reached between the parties. This fact is not disputed by learned counsel appearing on behalf of respondent No.2. It is further submitted by him that the parties shall remain bound by the terms thereof and no further litigation will be initiated against the petitioner.

7. Since the complaint under section 138 of the Negotiable Instruments Act, 1881 has been withdrawn, the order declaring the petitioner as a proclaimed offender has also come to an end.

8. Under these circumstances, no useful purpose would be served by keeping the aforementioned FIR alive. Thus, the petition is allowed and FIR No.572, dated 23.10.2017, under section 174-A IPC, registered at Police Station Kotwali, District Faridabad, along with all consequential proceedings having arisen therefrom, is quashed.

April 04, 2018

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned :	Yes
Whether Reportable :	No