

256.

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

CRM-M-27193-2018

Date of decision:27.09.2018.

SMT. BUSHRA

... Petitioner

Versus

STATE OF HARYANA AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Vimal Kumar Gupta, Advocate,
for the petitioner.

Mr. Ripu Daman, AAG, Haryana.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 482 Cr.P.C. is for quashing of FIR No.512 dated 28.04.2018 registered under Section 174-A IPC at Police Station Jagadhri City, District Yamuna Nagar and all subsequent proceedings arising therefrom.

The aforesaid FIR has cropped up from the proceedings initiated by respondent-complainant by filing a complaint under Section 138 of Negotiable Instruments Act wherein on account of non-appearance of the petitioner, she was declared a Proclaimed Officer in the case.

The petitioner, who is an accused in the case, has paid the cheque amount and respondent No.2-complainant has made a statement before the Court on 28.05.2018 that he has compromised the matter with the petitioner, the cheque for the amount (Ex.C1) has been received by him and he does not want to pursue the case.

The FIR was registered on the basis of non-appearance of the petitioner due to which she was declared a Proclaimed Offender. However, considering the fact that the same is based on a complaint under Section 138 of the Negotiable Instruments Act and the petitioner has already paid the cheque amount to the complainant, this Court finds that the present petition deserves to be accepted.

Accordingly, FIR No.512 dated 28.04.2018 registered under Section 174-A IPC at Police Station Jagadhri City, District Yamuna Nagar, is ordered to be quashed qua the petitioner, however, subject to payment of cost of Rs.10,000/- to be deposited with the Legal Services Authority, Haryana.

The present petition stands allowed in the terms indicated above.

(HARI PAL VERMA)
JUDGE

27.09.2018
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No