

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M No. 4757 of 2018 (O&M)
Date of decision : 8.3.2018

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Varun Mayor

.....Petitioner

vs.

State of Punjab

.....Respondent

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. J.S. Thakur, Advocate for the petitioner.

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H. S. Madaan, J. (Oral)

This is a petition for quashing of FIR No.30 dated 2.2.2017 for offence under Section 229-A IPC, registered at Police Station Navi Baradari, District Jalandhar.

Inter alia, it is contended that the petitioner was convicted by the trial Court but was released on bail. He had preferred an appeal against his judgment of conviction and sentence, which was pending in the Court of Additional Sessions Judge, Jalandhar. Since the petitioner had absented from the proceedings of the said Court on 18.1.2017, therefore the FIR for offence under Section 229-A IPC was registered against him.

According to the petitioner, his appeal was dismissed. He

had filed a revision petition in this Court which was accepted and criminal proceedings arising out of the complaint including subsequent conviction, were set aside. According to the petitioner his non-appearance in the Court of Additional Sessions Judge, was not intentional but due to ailment, therefore, the FIR be quashed.

I have heard learned counsel for the petitioner, besides going through the record.

The FIR in this case was registered on the basis of written complaint sent by Additional Sessions Judge, Jalandhar to SHO, Police Station Navi Baradari, Jalandhar. The offence under Section 229-A IPC is independent of proceedings in a complaint under Section 138 of the Negotiable Instruments Act. Merely because the proceedings in the complaint case have been quashed, does not mean that offence under Section 229-A IPC, regarding which FIR had been registered, has got extinguished.

The petition is without any merit and the same stands dismissed. ,

8.3.2018
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(H.S. Madaan)
Judge

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