

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-1220 of 2019

Date of Decision: January 14, 2019

Milan Jain and others

.....Petitioners

versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present:- Mr. Pankaj Bali, Advocate for the petitioner

Sudhir Mittal, J. (Oral)

Learned counsel for the petitioners submits that FIR under Section 174-A IPC was registered as the petitioners were declared as proclaimed persons in a complaint filed under Section 138 of the Negotiable Instruments Act, 1881. The complaint under the Act has been compounded and, thus, the FIR under Section 174-A IPC may also be quashed.

Notice of motion.

Mr. S.P. Singh, DAG Haryana, accepts notice on behalf of the respondent-State. Let two copies of the petition be supplied to him during the course of the day.

Mr. Deepak Sharma, Advocate accepts notice on behalf of respondent No. 2.

Keeping in view the fact that the complaint under Section 138 of the Act has been compounded, continuing with the FIR No. 290 dated 01.04.2018 registered at Police Station Sarai Khawaja, District Faridabad under Section 174-A IPC would amount to an abuse of the process of criminal Court. The petition is allowed and the said FIR and the consequential proceedings are quashed.

January 14, 2019

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[SUDHIR MITTAL]
JUDGE**Whether speaking/reasoned : Yes/No****Whether Reportable : Yes/No**