

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

121)

Crl. Misc. No.M-6569 of 2019 (O&M)
Date of Decision:12.09.2019

Ashok Mittal

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr.Parveen Kumar, Advocate, for the petitioner
Mr.Ramesh Kumar Ambavta, AAG, Haryana
None for respondent no.2

Amol Rattan Singh, J. (Oral)

Though in the order dated 08.4.2019, it is recorded that Mr.Arun Sharma, Advocate, had appeared for respondent no.2, i.e. the complainant in the complaint instituted out of which the proceedings under Section 174-A of the IPC arise, he has not appeared today, though a reply has been filed on behalf of respondent no.1, i.e. the State of Haryana.

The said reply is ordered to be taken on record.

Though of course proceedings under Section 174(A) of the IPC are on a different footing altogether on account of any person not appearing constantly before the trial court despite summons/warrants having been issued, the proceedings in the present case having arisen out of a complaint instituted under Section 138 of the Negotiable Instruments Act, 1881, with that matter having been stated to have been amicably settled between the petitioner and the complainant, i.e. respondent no.2, as per the aforesaid order dated 21.11.2018, the statement of the complainant in respect of the

compromise also having been annexed as Annexure P-3, I see no reason to continue with the criminal proceedings against the petitioner, the parties having fully compromised the matter of their own free will.

Consequently, the petition is allowed and FIR No.1039 dated 18.10.2018, registered at Police Station Model Town, District Panipat, against the petitioner, for the alleged commission of an offence punishable under Section 174A of the IPC, along with all proceedings emanating therefrom, is hereby quashed.

12.09.2019

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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned: Yes

Whether reportable: Yes