

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

114

CRM-M-6475-2018
Date of Decision : 3.4.2019

Usha Singh

....Petitioner

vs.

State of UT Chandigarh and another

...Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Vikarm Kumar, Advocate for
Mr. G.S.Jaswal, Advocate
for the petitioner.

Mr. Manish Jain, APP, for UT Chandigarh.

AJAY TEWARI, J. (Oral)

This petition has been filed praying for quashing of the complaint No. 4349/2015 dated 2.5.2015 under Section 138 of N.I. Act (Annexure P-1) and the summoning order dated 3.6.2015 (Annexure P-2) and the order dated 17.8.2016 (Annexure P-3) whereby the petitioner was declared as proclaimed offender.

When this petition came up for motion hearing on 16.2.2018 the following order was passed :-

“Notice of motion for 02.05.2018.

Meanwhile, operation of the impugned order dated 17.08.2016 (Annexure P-3) shall remain stayed, subject to the conditions that the petitioner shall surrender before the learned court below within three days from the date of receipt of certified copy of the order.”

It is not disputed that since then the petitioner has been regularly appearing in the Trial Court. Today, it has been brought to my notice that the complaint has been withdrawn.

Learned counsel appearing for respondent UT Chandigarh has also accepted that the complaint has been withdrawn.

In the circumstances, to now examine the merits of the impugned order would be an exercise of futility. Consequently, the petition is disposed of with the observation that prayer regarding quashing of the complaint and consequential proceedings arising out of complaint No. 4349/2015 dated 2.5.2015 under Section 138 of N.I. Act have been rendered infructuous and the order declaring the petitioner as proclaimed offender is quashed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

3.4.2019
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No