

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

226-2

CRM-M-5828-2020

Date of decision: 25.10.2021

Yatin @ Jatin Katyal

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Gourave Bhayya Gilhotra, Advocate
for the petitioners.

Mr. Gagandeep Singh Chhina, AAG, Haryana
for respondent No.1-State.

Mr. S.M. Sharma, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner has approached this Court seeking quashing of order dated 29.04.2017 passed by learned Additional Chief Judicial Magistrate, Ambala, whereby he has been declared 'Proclaimed Offender' in case FIR No.41 dated 14.02.2015 under Sections 498-A and 406 IPC registered at Police Station Ambala Cantt., District Ambala and FIR No.145 dated 04.05.2017 under Section 174-A IPC has been registered against the petitioner.

Learned counsel for the petitioner submits that FIR No.41 dated 14.02.2015 already stands quashed on the basis of compromise. Therefore, the present petition may be allowed and the impugned order dated 29.04.2017 may also be quashed.

Learned State counsel assisted by learned counsel for respondent No.2 does not controvert the submissions made by learned

counsel for the petitioner qua the quashing of the FIR in question on the basis of a compromise arrived at between the parties.

Heard learned counsel for the parties and perused the material on record.

The main purpose behind declaring an accused a proclaimed offender is to ensure his presence before the trial Court and to be punished, if found guilty.

In the case in hand, since the FIR in question already stands quashed on the basis of a compromise between the parties, it would be unfair to prosecute the petitioner only under Section 174-A of the IPC.

In the facts and circumstances as enumerated hereinabove, the present petition is allowed and FIR No.145 dated 04.05.2017 under Section 174-A IPC and order dated 29.04.2017 vide which the petitioner was declared a 'Proclaimed Offender' are quashed.

25.10.2021

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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