

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

CRM-M-39505 of 2020

Date of Decision: 05.03.2021

Sunny Grover

.....Petitioner

Versus

State of Haryana and Anr.

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Kanwaljit Singh Sr. Advocate with
Mr. Ajaivir Singh, Advocate for the petitioner.

Mr. Tapan Kumar, DAG, Haryana.

HARINDER SINGH SIDHU, J

Prayer is for quashing of FIR No.747 dated 12.03.2020 under Sections 174-A IPC registered at P.S Shivaji Nagar, District Gurugram and all consequential proceedings arising out of the same.

It is stated that the petitioner is serving in the Merchant Navy. A complaint (P.1) under Sections 138/142 of the Negotiable Instruments Act, 1881 was instituted against him by M/s Indiabulls Housing Finance Ltd in which the petitioner was summoned. Notice of accusation was served on him vide order dated 06.02.2020 passed by learned JMIC, Gurugram. As the petitioner did not appear before the learned trial Court, he was declared as proclaimed person vide order dated 13.08.2019. Subsequently, the petitioner caused his appearance before the learned trial Court on the same day i.e 13.08.2019 and was released on bail.

Learned counsel for the petitioner submits that the petitioner settled the dispute with the complainant-Company and the entire amount of Rs.1,75,000/- was paid to the Company. Thereafter, the complaint was dismissed as withdrawn on 16.03.2020 (P.5). He submits that considering

the fact that the petitioner has appeared before the learned trial Court and the matter has been settled between the parties, proceedings under Section 174-A IPC deserve to be set aside. He relied on a decisions of this Court passed in CRM-M-27714 of 2020 on 22.01.2021, **Rajneesh Khanna vs. State of Haryana and Anr, 2017 (3) LAR 555 and order dated 21.05.2019 passed in CRM-M-21242 of 2018.**

Learned State counsel has not disputed the fact of matter having been compromised as also withdrawal of the complaint.

Heard.

A perusal of order dated 13.03.2020 passed by learned JMIC, Gurugram makes it clear that the matter has been settled between the parties and in pursuance thereof, the complaint filed by the complainant was dismissed as withdrawn.

Consequently, present petition is allowed and FIR No.747 dated 12.03.2020 under Sections 174-A IPC registered at P.S Shivaji Nagar, District Gurugram along with all subsequent proceedings arising therefrom, are hereby quashed.

March 05, 2021
manoj

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No