

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

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**CRM-M-24873-2020
Decided on : 24.02.2021**

Tarun Goyal

. . . Petitioner(s)

Versus

State of Haryana and another

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Sunny Bhardwaj, Advocate
for the petitioner(s).

Mr. Rajiv Goel, DAG, Punjab.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C., for quashing of FIR No. 436, dated 04.07.2020, under Section 174-A IPC, registered at Police Station Hisar City, District Hisar (Annexure P-4) and all consequential proceedings arising therefrom.

Learned counsel for the petitioner *inter alia* contends that vide order dated 04th September, 2019 (Annexure P-1), learned JMIC, Exclusive Court N.I. Act, Hisar, declared the petitioner a proclaimed person in a complaint case filed against him under Section 138 of the Negotiable Instruments Act, 1881 (for brevity 'the NI Act'). Subsequently, FIR in question for offence under Section 174-A of IPC was registered against the petitioner. It has been contended that the petitioner was unaware about the proceedings having been initiated against him in the complaint case under Section 138 of the NI Act as well as the proclamation warrants issued against him by the learned JMIC, Exclusive Court N.I. Act, Hisar, vide order dated 04th September, 2019 (Annexure P-1). However, as soon as, he came to know about the aforesaid complaint case and the factum of

registration of FIR under Section 174-A IPC, he approached the learned Court below for grant of concession of bail and the learned Court below vide order dated 03rd August, 2020 (Annexure P-2), granted him the concession of anticipatory bail. Thereafter, with the intervention of respectables, the petitioner entered into compromise with respondent No.2-complainant and paid the full and final amount to the latter. Resultantly, the complaint under Section 138 of the NI Act, filed against the petitioner, was withdrawn by respondent No.2 - complainant.

On being put to notice, respondent No.1 – State entered appearance and has not disputed the factum of compromise having been arrived at between the parties and the case under Section 138 of the NI Act, having been withdrawn by the complainant against the petitioner.

Heard.

In the facts and circumstances of the case, I have no hesitation in holding that the instant petition deserves to be allowed. Consequently, FIR No. 436, dated 04.07.2020, under Section 174-A IPC, registered at Police Station Hisar City, District Hisar (Annexure P-4) is quashed along with all consequential proceedings arising therefrom.

(MANJARI NEHRU KAUL)
JUDGE

February 24, 2021

J.Ram

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