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

**CRM-M-34041-2021
Date of Decision: 09.12.2021**

Tarun Arora

..... Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Tarun Sharma, Advocate,
for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana,
for respondent No.1/State.

None for respondent No.2/Complainant.

SUDIP AHLUWALIA J. (ORAL)

In this petition, the petitioner, who is an accused in F.I.R No.1155, dated 25.06.2019, under Section 174-A of the Indian Penal Code, registered at Police Station Shivaji Nagar, District Gurugram (Annexure P-1), has prayed for quashing of F.I.R. with all subsequent proceedings arising therefrom.

[2]. No reply filed on behalf of the State.

[3]. As seen from the copy of the order dated 13.07.2021 passed by the Ld. Judicial Magistrate First Class, Gurugram in his capacity as Presiding Officer of the Daily Lok Adalat, Gurugram, the original complaint under Sections 138/141 of the N.I. Act had been dismissed as withdrawn on the basis of compromise.

[4]. Consequently, in the view of this Court the P.O. proceedings started against the petitioner/accused from the aforesaid complaint case for

his failure to appear during trial, which has since already been withdrawn, would clearly amount to an abuse of the process of law.

[5]. Consequently, the present petition is allowed and all proceedings arising out of FIR No.1155, dated 25.06.2019, under Section 174-A of the Indian Penal Code, registered at Police Station Shivaji Nagar, District Gurugram (Annexure P-1) is hereby quashed *qua* the present petitioner.

09.12.2021

Bhumika

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes

2. Whether reportable: No