

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-3120-2020
Reserved on : 02.11.2022
Pronounced on: 16.11.2022

Sunder SinghPetitioner

Vs.

State of Haryana and othersRespondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: None.

ANOOP CHITKARA J.

FIR No.	Dated	Police Station	Sections
0405	04.10.2019	Rania	174-A IPC

The petitioner, arraigned as accused in the above captioned FIR, has come up before this Court under Section 482 CrPC for quashing of the FIR and all consequential proceedings based on the compromise with the aggrieved person, in the main matter, failure to appear in which case led to the accused being declared a proclaimed offender and consequent registration of FIR under section 174-A of Indian Penal Code, 1860 (IPC).

2. As per petition, pursuant to the order passed by Sessions Court, the petitioner was granted bail and the petitioner was appeared before the concerned court after compromise he was acquitted of the charges vide judgment dated 02.11.2019 (Annexure P-5).
3. Bar is abstaining from work.

ANALYSIS & REASONING:

4. The petitioner states in the petition that the previous non-appearance was because the complainant assured the petitioner that he would withdrew the charges but later on refused to do so. After the appearance before the trial Court, compromise effected between the parties which was reduced into writing Annexure P-6 and the petitioner was acquitted. The fact remains that the petitioner has been acquitted.
5. The fact remains that the petitioner has been acquitted in main case. That being so,

there would be no justification to continue the prosecution, which was only to ensure the appearance of the accused in the said trial, and in my considered opinion, the continuation of the prosecution under section 174-A IPC after the settlement of the primary matter serves no purpose except the court's time which is already under extreme stress because of never-ending and continuously increasing workload.

6. Considering the entire facts and compromise in the main matter, I believe that continuing proceedings will not suffice any fruitful purpose whatsoever. In the facts and circumstances peculiar to this case, the Court invokes the inherent jurisdiction under section 482 CrPC and quashes the FIR and all subsequent proceedings qua the petitioner(s). The bail bonds of the petitioner are accordingly discharged. All pending application(s), if any, stand closed.

Petition allowed in the terms mentioned above.

(ANOOP CHITKARA)
JUDGE

16.11.2022
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Whether speaking/reasoned: Yes
Whether reportable: **No.**