

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-8399-2022
Date of decision: 12.05.2022

Avdhes Mishra

...Petitioner(s)

Versus

State of Haryana & another

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Amardeep Sheoran, Advocate
for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

Mr. Vikram Singh Narwal, Advocate
for respondent no.2.

ANOOP CHITKARA, J. (Oral)

Prayer in this petition filed under Section 482 CrPC is for quashing/setting aside of order dated 10.12.2019 (Annexure P-1) passed by Sub Divisional Judicial Magistrate, Bawal in a complaint case, declaring the petitioner as proclaimed offender and directing the SHO for initiating proceedings under Section 174A IPC against the petitioner. Further prayer has been made to quash the FIR No.297 dated 11.12.2019 under Section 174A IPC registered at Police station Bawal, District Rewari (Annexure P-2).

The matter pertains to complaint under Section 138 of the Negotiable Instruments Act, 1881.

Vide order dated 13.3.2020 passed by Sub Divisional Judicial Magistrate, Bawal, based on the statement of the complainant that the matter has been compromised, the complaint in question was dismissed as withdrawn. Since the main complaint stands withdrawn, as such the very purpose of FIR under Section 174-A IPC practically loses significance. However, since the petitioner-accused delayed the matter, as such, it would be suffice if he pays costs of Rs.10,000/-.

Learned counsel for the petitioner has no objection to the same and he seeks 10 days time.

Given above, the petition is allowed, order dated 10.12.2019 is set aside and the FIR No.297 dated 11.12.2019 under Section 174A IPC registered at Police station Bawal, District Rewari (Annexure P-2) is hereby quashed *qua* the petitioner.

The petitioner shall deposit a sum of rupees ten thousand in 'High Court Lawyers

Welfare Fund,' Account number 65018692589, SB, IFCI code SBIN0050306, Branch Code 50306, Branch Address State Bank of India, High Court Branch, Sector 1, Chandigarh within 10 days from today. After depositing, the petitioner shall file the proof of deposit, before the concerned court and send its copy along with a copy of this order to the Secretary, Punjab & Haryana High Court Bar Association, either in physical or electronic mode.

(ANOOP CHITKARA)
JUDGE

May 12, 2022
AK

Whether speaking/reasoned:	Yes
Whether reportable:	No.