

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

117

CRM-M-9251-2022

Date of Decision: 07.03.2022

Rajinder Singh

....Petitioner

Versus

State of Haryana and another

....Respondents

CORAM:HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Pankaj Bali, Advocate for the petitioner.

Mr. R.K. Singla, DAG, Haryana.

Mr. Parveen Sharma, Advocate for respondent No.2.

HARINDER SINGH SIDHU, J.

Present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 386 dated 17.02.2020 (P-1), under Section 174-A IPC registered on Police Station Ambala City and subsequent proceedings arising therefrom.

A complaint dated 22.04.2016, under Section 138 Negotiable Instruments Act was filed against the petitioner by respondent No.2 on account of dishonor of cheque amounting to Rs. 1,03,330/-. Because of the non-appearance of the petitioner, proclamation proceedings were initiated against him. Vide order dated 13.12.2017, the petitioner was declared as proclaimed person. FIR under Section 174-A IPC was registered against the petitioner.

It is stated that subsequently compromise has been arrived at between the parties. Vide order dated 15.02.2022, the complaint has been dismissed as withdrawn.

Learned counsel for the petitioner states that the order declaring him as proclaimed person was not sustainable as no summons was ever served upon the petitioner or on any member of his family at his place of residence. He contends that in any way in view of the dismissal of the complaint case continuance of the proceedings under Section 174-A IPC is not in the interest of justice.

Taking into account the fact that the complaint has been dismissed as withdrawn, no useful purpose be served for continuation of proceedings under Section 174-A IPC. Accordingly the petition is allowed. FIR No. 386 dated 17.02.2020 (P-1), under Section 174-A IPC registered on Police Station Ambala City is quashed. This shall subject to deposit an amount of Rs.10,000/- (ten thousand only) by the petitioner with the Haryana Police Welfare Fund through DGP Headquarter.

[HARINDER SINGH SIDHU]
JUDGE

March 07, 2022
rashmi

Whether speaking/reasoned	yes/no
Whether reportable?	yes/no