

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No.14418 of 2022
Reserved on: 26.04.2022
Pronounced on: 14.07.2022

Jarnail Singh BajwaPetitioner

Vs.

State of Punjab and anotherRespondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Navjot Singh, Advocate for the petitioner.

Mr. Harpreet S.Multani, AAG, Punjab.

ANOOP CHITKARA J.

FIR No.	Dated	Police Station	Section
234	22.10.2020	City Kharar, SAS Nagar, Mohali	174-A IPC

Seeking quashing of aforesaid FIR, the accused has come up before this court under Section 482 Cr.P.C.

2. After dishonour of cheque handed over by petitioner, the second respondent had filed a complaint against the petitioner under section 138 of Negotiable Instruments Act, 1881.
3. The accused could not be served through the ordinary process, including summons, bailable warrants, and even non-bailable warrants. The concerned court finally proceeded against the petitioner under section 82 of Cr.P.C. and declared the petitioner a proclaimed offender vide order dated 30.11.2019.
4. After issuance of proclamation, the matter got settled between the parties. The factum of compromise was recorded by Ld. Trial Court in its order dated 03-03-2022. Vide order dated 25-03-2022 the complaint was dismissed as withdrawn and the order of proclamation was recalled.

5. In paragraph 5 of the petition, the petitioner explains that due to a misunderstanding of dates between him and his counsel and Covid-19 disruptions, he could not appear. In the case's factual background, I am satisfied with the explanation offered. The primary matter stands dismissed as withdrawn; there is no justification for continuing the ancillary proceedings under section 174-A IPC. Consequently, in the facts and circumstances peculiar to this case, the petition is allowed and the FIR mentioned above, Annexure P-1 and all consequential proceedings arising therefrom are quashed. All pending warrants stand canceled, and further proceedings quashed.

Petition allowed. All pending applications, if any, stand closed.

(ANOOP CHITKARA)
JUDGE

14.07.2022
Jyoti-II

Whether speaking/reasoned: Yes
Whether reportable: No.