

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-30532-2021
Reserved on: 27.10.2022
Pronounced on: 14.11.2022

Pawan Kumar ...Petitioner

Versus

State of Haryana and another ...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Ms. Deepika, Advocate for
Mr. S.K. Tripathi, Advocate for the petitioner.

Mr. Rajat Gautam, DAG, Haryana.

ANOOP CHITKARA, J.

Complaint No.	Dated	Passed by	Sections
543	14.07.2018	JMIC Faridabad	138 & 142 NIA r/w section 420 IPC

1. Challenging the order of proclamation dated 31.03.2021 , passed by JMIC, Faridabad, due to the default in appearances before the trial court, the petitioner has come up before this court.
2. Ld. Counsel for the petitioner contends that the non-appearance was unintentional, without any endeavor to delay the trial, and due to factors beyond the petitioner’s control. Counsel for the petitioner further submits that pursuant to the order passed by this court , all amount due in the main complaint has already been paid to the complainant and main complaint was withdrawn afterwards .
3. As per the submission recorded in order dated 31.08.2021 and the fact that the petitioner has already joined the proceedings before trial court and compromised the matter with the complainant there is no justification to continue the proceeding against the petitioner .

ANALYSIS & REASONING:

4. The petitioner states that the previous non-appearance was because he was found to be covid positive and was admitted in hospital. He further states that now the matter has been settled and complaint has been withdrawn.

5. Considering the entire facts, compromise, and in the light of the above-mentioned facts, I believe that continuing proceeding 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 order dated 31.03.2021 annexure P-3 and all subsequent proceedings arising out of the same qua the petitioner(s).All pending application(s), if any, stand closed.

Petition allowed to the extent above All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

14.11.2022
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Whether speaking/reasoned: Yes
Whether reportable: No.