

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

129

CRM-M-28590-2022

Date of Decision:07.07.2022

Sukhwinder Singh Turka

....Petitioner

Versus

State of Haryana and another

....Respondents

CORAM:HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. C.S. Singhal, Advocate for the petitioner.

Mr. Saurabh Girdhar, AAG, Haryana.

HARINDER SINGH SIDHU, J.

Present petition filed under Section 482 Cr.P.C. is for quashing of FIR No.0120, dated 14.02.2020, registered under Section 174-A of IPC at Police Station Ambala City, District Ambala, Haryana.

A complaint under Section 138 of the Negotiable Instruments Act, 1881 was filed against the petitioner on account of dishonour of a cheque.

On account of the failure of the petitioner to attend the Court, proclamation proceedings were initiated against him and he was declared a proclaimed person vide order dated 07.04.2021. FIR under section 174-A IPC was consequently registered against him. A compromise was effected between the petitioner and the complainant because of which the complainant withdrew the complaint on the same date i.e. 07.04.2021.

Learned counsel for the petitioner submits that the procedure as contemplated under section 82 Cr.P.C. was not complied

with before the petitioner was declared as proclaimed person. In any case, he submits that in view of the complaint having been withdrawn the continuance of the proceedings under Section 174-A IPC, would not be in the interest of justice.

Consequently, the present petition is allowed. FIR No.0120, dated 14.02.2020, registered under Section 174-A of IPC at Police Station Ambala City, District Ambala, Haryana and consequential proceedings are quashed subject to the petitioner depositing a sum of Rs. 20,000/- (twenty thousand only) with the Director PGIMER, Chandigarh Poor Patient Welfare Fund.

Disposed of accordingly.

[HARINDER SINGH SIDHU]
JUDGE

July 07, 2022
rashmi

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