

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

CRM-M-30451 of 2022

Date of Decision: 18.07.2022

Mohit Kumar

.....Petitioner

Versus

State of Punjab and Anr.

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Shakti Mehta, Advocate for
the petitioner.

Mr. B.S. Sewak, Addl.AG, Punjab.

HARINDER SINGH SIDHU, J

Present petition filed under Section 482 Cr.P.C. is for quashing of FIR No.0334 dated 12.12.2019 under Section 174-A IPC registered at P.S City Rajpura, District Patiala on the basis of non appearance of the petitioner.

A complaint under Section 138 of the Negotiable Instruments Act, 1881 was filed by the complainant Pankaj 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 as proclaimed person vide order dated 31.10.2019. FIR under section 174-A IPC was consequently registered against him. Petitioner contested the complaint. Vide order dated 19.02.2020 passed by learned trial Court, the petitioner was granted bail and he caused his appearance in the complaint case.

During the pendency of the complaint, petitioner paid the due

amount to the complainant. On 17.11.2021, respondent No.2-complainant deposed before the trial Court that he had received the cheque amount in question and, therefore, he did not wish to proceed with the complaint. In terms of the said statement, complaint case was dismissed as withdrawn vide order dated 11.12.2021 (P.4).

Learned counsel for the petitioner submits that the impugned FIR was registered against the petitioner because of his non-appearance in the complaint case. Now, the matter has since been compromised between the parties and in view of the complaint having been dismissed as withdrawn, the continuance of the proceedings under Section 174-A IPC, would not be in the interest of justice.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.0334 dated 12.12.2019 under Section 174-A IPC registered at P.S City Rajpura, District Patiala, and all consequential proceedings arising therefrom are quashed.

July 18, 2022
manoj

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No