

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

248

CRM-M No.33336 of 2021
Date of Decision: 30.09.2022

Gurpanvinder Singh @ Gurparvinder SinghPetitioner

Vs.

State of Punjab and othersRespondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Narinder Singh Dadwal, Advocate
for the petitioner.

Mr. Virat Rana, AAG, Punjab.

Ms. Deepika Chauhan, Advocate,
for respondent No.3.

ANOOP CHITKARA J.

FIR No.	Dated	Police Station	Section
212	23.12.2015	Fatehgarh Sahib	174-A IPC

Seeking quashing of aforesaid FIR, registered on the directions of JMIC, Fatehgarh Sahib the accused has come up before this court under Section 482 Cr.P.C.

2. After dishonor of cheque drawn and failure of response by the petitioner to the notice to pay the cheque amount, the complainant/respondent, the second respondent, filed a complaint against the petitioner under section 138 of The 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, and also order registration of FIR. Based on such complaint, the police registered the above-mentioned FIR against the petitioner.
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 Trial Court in its order dated 15.12.2020 and the complaint was dismissed as withdrawn.

5. 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 The primary matter stands dismissed as withdrawn; there is no justification for continuing the ancillary proceedings under section 174-A IPC.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, are quashed qua the petitioner. All pending warrants stand canceled, and further proceedings quashed.

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

(ANOOP CHITKARA)
JUDGE

30.09.2022
Jyoti-II

Whether speaking/reasoned: Yes
Whether reportable: No.