

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

204

CRM-M No.37680-2021
Date of decision:-15.09.2022

Asha Saini

.....Petitioner

Vs.

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Kshitij Bharati, Advocate for the petitioner

 Mr. Manish Bansal, DAG, Haryana

ANOOP CHITKARA J.

FIR No.	Dated	Police Station	Sections
91	07.02.2020	Sector 5, District Panchkula	174-A IPC

Seeking quashing of aforesaid FIR, registered on the directions of JMIC Panchkula, the accused has come up before this court under Section 482 CrPC.

2. After dishonour of the cheque drawn by the petitioner favouring the complainant/respondent, the second respondent had 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 CrPC 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 21-09-2019. Vide order dated 21-09-2019, passed by JMIC Panchkula, Haryana, the complaint was dismissed as withdrawn.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 The primary matter stands dismissed as withdrawn; there is no justification for continuing the ancillary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, FIR mentioned above, Annexure 1 and all consequential proceedings arising out of the same 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

Sep 15, 2022
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Whether speaking/reasoned: Yes
Whether reportable: **No.**