

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

264

CRM-M-45414-2022

Date of Decision: 06.12.2022

Dilbag Singh

.... Petitioner

Versus

The State of Haryana and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: - Mr. Dhruv Gupta, Advocate for the petitioner.

Mr. Gaurav Bansal, Assistant Advocate General, Haryana.

Mr. Saruabh Bhardwaj, Advocate
for respondent No. 2-Bank.

ASHOK KUMAR VERMA, J. (ORAL)

Power of attorney filed on behalf of respondent No. 2-Bank
is taken on record.

The petitioner has filed the present petition under Section 482 Cr.P.C., for quashing of impugned order dated 11.02.2019, passed by the learned Judicial Magistrate Ist Class, Ambala, in complaint case No. COMA/239/2017 titled as 'HDFC Bank Vs. Dilbagh Singh', filed under Section 138 of the Negotiable Instruments Act, 1881, whereby the petitioner has been declared as proclaimed person and FIR No. 75 dated 16.02.2019 (Annexure P-4) registered under Section 174-A IPC, Police Station Ambala City, District Ambala, being an abuse of the process of law.

Learned counsel for the parties are *ad idem* that the matter

has been compromised between the parties and respondent No. 2-Bank has withdrawn its complaint vide order dated 11.09.2021 (Annexure P-6), passed by the Presiding Officer, National Lok Adalat, Ambala.

Learned counsel for respondent No. 2-Bank submits that he has no objection in case, the present petition is allowed.

In view of the above and keeping in view the fact that the matter has been compromised between the parties and respondent No. 2-Bank had already withdrawn its complaint, the instant petition is allowed. Impugned order dated 11.02.2019, declaring the petitioner as proclaimed person as well as FIR No. 75 dated 16.02.2019 (Annexure P-4) registered under Section 174-A IPC, Police Station Ambala City, District Ambala and all the consequences arising therefrom are hereby quashed, being an abuse of the process of law.

December 06, 2022
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(ASHOK KUMAR VERMA)
JUDGE

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