

CRM-M-44307-2022
Reserved on: 23.09.2022
Pronounced on : 27.09.2022

Kapil ChaudharyPetitioner

Vs.

State of HaryanaRespondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Satish Kumar Garg, Advocate for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

ANOOP CHITKARA J.

FIR No.	Dated	Police Station	Sections
0409	17.02.2020	Ambala City, Distt. Ambala	174A IPC

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

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 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. Vide order dated 3-9-2022, the complaint was dismissed as withdrawn.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 The primary matter stands dismissed as withdrawn; there is no justification for continuing the ancillary proceedings under section 174-A IPC.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 FIR mentioned above (Annexure -P-7) and all consequential proceedings, are quashed qua the petitioner. Bail bonds and surety bonds stand discharge. All pending warrants stand canceled, and further proceedings quashed.

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

(ANOOP CHITKARA)
JUDGE

27.09.2022
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Whether speaking/reasoned: Yes
Whether reportable: **No.**