

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

CRM-M-51372-2021

Date of Decision: January 06, 2022

Gaurav Sood

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Sunny Kadian, Advocate for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

(Through Video Conferencing)

ANOOP CHITKARA J. (ORAL)

Learned counsel for the petitioner submits that although the matter has been compromised out of Court between the parties but because of the stay order given by this Court further proceedings cannot proceed.

2. Aggrieved by proceedings lodged under Section 174-A of IPC an accused of a check bouncing case has come up before this Court for quashing of the same.

3. Learned counsel for the petitioner has drawn attention of this Court to an out of Court compromise entered between the parties vide Annexure P-3 on Page-12, perusal of the same reveals that *prima facie* the parties have entered into compromise.

4. Given above, since learned counsel for the petitioner submits that once the matter has been compromised as such Section 174-A of IPC which is an outcome of this case should automatically remove.

5. Whether legally this argument is valid or not, would come at a stage when the compromise is accepted by the Trial Court. Thus, this petition is prematured as on now. Consequently, let the parties get the complaint quashed by bringing this compromise to the notice of the Trial Court and after that it shall be open for the petitioner to file an appropriate petition for quashing of the FIR under Section 174-A of IPC.

6. Learned counsel for the petitioner submits that no coercive steps should be taken against the petitioner because of the compromise.

7. Given above, this petition is disposed of with the aforesaid observations and also an additional observation that no coercive steps shall be taken against the petitioner in the present FIR and the petitioner shall be at liberty to file a fresh petition in this Court after the compromise.

8. Given above, the interim order is vacated.

06.01.2022

Bhumika

(ANOOP CHITKARA)

JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: No