

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

115-CRM-M-55188-2022 (O&M)

Date of Decision: 13.12.2022

Anil Panwar

... Petitioner

VS.

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE SANDEEP MOUDGIL

Present: Mr. Rajesh Lamba, Advocate for the petitioner

Mr. Chetan Sharma, AAG Haryana

Sandeep Moudgil, J. (Oral)

Prayer made in this petition filed under Section 482 CrPC is for quashing of order dated 15.03.2018 (Annexure P4) passed by JMIC, Faridabad in case NACT No.112/2016 "Jitender Jindal vs. Anil Panwar" and consequent lodging of FIR No.269 dated 08.05.2018 (Annexure P5) registered at Police Station Faridabad Kotwali under Section 174-A, IPC along with consequential proceedings thereof.

Learned counsel for the petitioner submits that the case is covered by the judgment passed by a Coordinate Bench in **CRM-M-52319-2021 (Shravan Kumar Singh @ Sarvan Singh vs. State of Haryana)** decided on 15.12.2021 vide which a Coordinate Bench of this Court held that where the main case was dismissed for want of prosecution, the continuation of proceedings under Section 174-A IPC shall be an abuse of process of court.

Notice of motion.

On the asking of the court, Mr. Chetan Sharma, AAG Haryana accepts notice and does not controvert the above-said fact.

Learned counsel for the parties are *ad idem* that the impugned order (Annexure P4) in complaint as well as the FIR, referred to above, are liable to be quashed in view of the judgment passed by a Coordinate Bench in **Shravan Kumar Singh @ Sarvan Singh** case (supra).

Accordingly, in view of **Shravan Kumar Singh @ Sarvan Singh's** case (supra), the present petition is allowed and the order dated 15.03.2018 (Annexure P4) in NACT No.112/2016 as well as the FIR No.269 dated 08.05.2018 (Annexure P5) registered at Police Station Faridabad Kotwali under Section 174-A, IPC filed/registered against the petitioner is quashed.

13.12.2022
V.Vishal

(Sandeep Moudgil)
Judge

1. Whether speaking/reasoned?
2. Whether reportable?

Yes/No
Yes/No