

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-57857-2022 (O&M)
Date of decision: 12.12.2022

Jatinder Kumar Manocha

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Dinesh Trehan, Advocate
for the petitioner.

ARVIND SINGH SANGWAN, J.

The petitioner has prayed for quashing of FIR No.90 dated 01.03.2020 for the offences punishable under Section 174-A of the Indian Penal Code ('IPC' for short), registered at Police Station City Ferozepur, District Ferozepur and all the subsequent proceedings arising therefrom.

Learned counsel for the petitioner submits that the impugned FIR was registered during pendency of a complaint filed under Section 138 of Negotiable Instruments Act, as the petitioner was not served, therefore, he could not appear before the trial Court. It is further submitted that now the matter in the said complaint has been settled and in terms of the order dated 28.01.2021, complaint has already been dismissed as withdrawn. In the meantime, impugned FIR was registered in compliance of the order dated

17.01.2020 passed by the trial Court during pendency of the aforesaid complaint.

Notice of motion.

On asking of the Court, Mr. Navneet Singh, DAG, Punjab accepts notice on behalf of the respondent-State while Mr. Piyush Sharma, Advocate appears on behalf of respondent No.2. They have not disputed the aforesaid factual position.

After hearing learned counsel for the parties and considering the aforesaid facts and circumstances of the case, present petition is allowed and FIR No.90 dated 01.03.2020 under Section 174-A IPC, registered at Police Station City Ferozepur, District Ferozepur and all the subsequent proceedings arising therefrom, are ordered to be quashed.

[ARVIND SINGH SANGWAN]
JUDGE

12.12.2022
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No