

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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130-CRM-M-60289-2022

Date of Decision: 22.12.2022

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Tahir Hussain

... Petitioner

VS.

State of Haryana

... Respondent

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**CORAM: HON'BLE MR.JUSTICE SANDEEP MOUDGIL**

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Present: Mr. Vinay Kumar Pandey, Advocate for the petitioner

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**Sandeep Moudgil, J. (Oral)**

Prayer made in this petition filed under Section 482 CrPC is for quashing of the FIR No.0071 dated 04.11.2019 under Section 174-A IPC, (Annexure P4), registered at Police Station City Nuh, District Nuh, 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 FIR, referred to above and consequential proceedings arising therefrom, 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 FIR filed/registered against the petitioner is quashed.

22.12.2022

V.Vishal

1. Whether speaking/reasoned?

2. Whether reportable?

**(Sandeep Moudgil)**

**Judge**

Yes/No

Yes/No