

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

202-5

CRM-M-52952-2019

Date of Decision:28.03.2022

Javed Hassan

....Petitioner

Versus

State of Haryana and another

....Respondents

CORAM:HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Sanjay Verma, Advocate for the petitioner.

Mr. Saurabh Girdhar, AAG, Haryana.

HARINDER SINGH SIDHU, J.

Present petition filed under Section 482 Cr.P.C. is for quashing of FIR No.719, dated 05.06.2018, registered under Section 174-A of IPC at Police Station City Jagadhri, District Yamunanagar.

A complaint under Section 138 of the Negotiable Instruments Act, 1881 was filed against the petitioner on account of dishonour of a cheque of an amount of Rs.4,90,000/-.

On account of the failure of the petitioner to attend the Court, proclamation proceedings were initiated against him and he was declared a proclaimed person vide order dated 29.05.2018. FIR under section 174-A IPC was consequently registered against him. A compromise was effected between the petitioner and the complainant on 25.10.2018 because of which the complainant withdrew the complaint on the same date i.e. 25.10.2018.

Learned counsel for the petitioner submits that the procedure as contemplated under section 82 Cr.P.C. was not complied with before the petitioner was declared as proclaimed person. In any

case, he submits that in view of the complaint having been withdrawn the continuance of the proceedings under Section 174-A IPC, would not be in the interest of justice.

Consequently, the present petition is allowed. FIR No.719, dated 05.06.2018, registered under Section 174-A of IPC at Police Station City Jagadhri, District Yamunanagar. Disposed of accordingly.

[HARINDER SINGH SIDHU]
JUDGE

March 28, 2022

rashmi

Whether speaking/reasoned
Whether reportable?

yes/no
yes/no