

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

201

CRM-M-2754-2019 (O&M)  
Date of decision: 25.07.2023

Kamlesh Jindal

...Petitioner

Versus

Vinay Yadav and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL**

Present: Mr. Prateek Rathee, Advocate for the petitioner.

Mr. Rupinder Singh Jhand, Addl. AG Haryana.

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**HARNARESH SINGH GILL, J. (ORAL)**

The petition has been filed for quashing of the order dated 06.11.2017 vide which the petitioner has been declared a 'proclaimed person' and the FIR No. 20 dated 28.01.2018 under Section 174-A IPC has been registered at Police Station Manesar, Gurugram.

At the outset, learned counsel for the petitioner submits that he is not pressing for quashing of order dated 06.11.2017 vide which the petitioner has been declared a proclaimed person as the petitioner is regularly appearing before the learned trial Court and prays for quashing of FIR No. 20 dated 28.01.2018 under Section 174-A IPC.

Learned counsel for the petitioner submits that the petitioner could not appear before the Court as neither she was served, nor she was aware about the proceedings and thus, the non-appearance of the petitioner was not intentional and that pursuance to the order dated 03.07.2018 passed by a Coordinate Bench passed in CRM-M-26839-2018 preferred by the petitioner, the petitioner is regularly appearing before the learned trial Court and thus, continuance of criminal proceedings under Section 174-A IPC

would amount to an abuse of process of law. In support of his case, learned counsel for the petitioner relies upon the order dated 13.09.2017 passed by a Coordinate Bench in CRM-M-32465-2017 titled as ‘Vikas Sharma Vs. Gurpreet Singh Kohli and another’.

Learned State counsel while opposing the prayer, submits that the petitioner was declared a proclaimed offender vide order dated 06.11.2017 and accordingly the FIR No. 20 dated 28.01.2018 has been registered against her.

I have heard the learned counsel for the parties.

Since the petitioner has been regularly appearing before the learned trial Court, the impugned FIR No. 20 dated 28.01.2018 under Section 174-A IPC has been registered at Police Station Manesar, Gurugram, and all the proceedings arising therefrom are hereby quashed qua the petitioner.

Disposed of.

25.07.2023

Mangal Singh

(HARNARESH SINGH GILL)  
JUDGE

|                            |        |
|----------------------------|--------|
| Whether reasoned/speaking? | Yes/No |
| Whether reportable?        | Yes/No |