

113 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-3836-2023
Decided on : 25.01.2023

Gobind Mehra

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Nitin Narula, Advocate
 for the petitioner.

Manjari Nehru Kaul, J.(Oral)

The instant petition has been filed under Section 482 Cr.PC for quashing of FIR No.07 dated 07.01.2020 under Sections 174-A IPC registered at Police Station Civil Lines, District Police Commissionerate Amritsar.

Learned counsel for the petitioner has primarily prayed for setting aside the impugned order on the ground that the matter under Section 138 of Negotiable Instruments Act has been compromised between the petitioner and the complainant before National Lok Adalat on 14.05.2022 and thereafter, all the three complaints made against the petitioner have been withdrawn by the complainant on 25.05.2022. A prayer therefore, has been made that in the aforementioned facts and circumstances, no purpose would be served by prosecuting the petitioner under Section 174-A IPC, more so, when he was not involved in any other criminal case much less under Section 138 of the Act nor had he been declared a proclaimed offender prior thereto in any other case.

Notice of motion.

On the asking of Court, Mr. Ramdeep Pratap Singh, Sr. DAG, Punjab accepts notice on behalf of respondent-State.

Learned State counsel does not dispute the submissions made by

counsel opposite. Learned State counsel further submits that the matter under Section 138 of Negotiable Instruments Act has indeed been compromised between the petitioner and the complainant and all the three complaints made against the petitioner have been withdrawn by the complainant.

Heard learned counsel for the parties and perused the relevant material on record.

The petitioner was declared a proclaimed person vide impugned order in a complaint case under Section 138 of the Act. Admittedly, the said complaint was withdrawn after the parties arrived at a compromise. Furthermore, the petitioner is neither involved in any other criminal case nor was he declared a proclaimed offender any time prior thereto. Hence, the continuation of criminal proceedings under Section 174-A IPC would serve no useful purpose. Accordingly, the present petition is allowed and the impugned order dated 15.11.2019 declaring the petitioner as proclaimed person as well as FIR registered under Section 174-A IPC and consequential proceedings arising therefrom are set aside.

25.01.2023
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(MANJARI NEHRU KAUL)
JUDGE

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