

250 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:088305
CRM-M-7928-2023
Date of Decision: July 14, 2023

Nathi Ram

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Kushager Goyal, Advocate for the petitioner.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

DEEPAK GUPTA, J.(Oral)

In a criminal complaint bearing NACT NO.4466 of 2018 titled as *“The Sirsa Central Co-operative Bank Ltd. v. Nathi Ram*, filed under Section 138 of Negotiable Instruments Act, petitioner was declared proclaimed person vide order dated 25.07.2022 by learned Judicial Magistrate Ist Class, Sirsa (Annexure P-3). Consequent to the order passed by the Court, FIR No.0533 dated 25.07.2022 under Section 174-A IPC was registered against the petitioner at Police Station Civil Lines Sirsa, District Sirsa.

Prayer in this petition is to quash the said FIR under Section 174-A IPC on the ground that the main complaint in which petitioner was declared proclaimed person has since been dismissed as withdrawn on the basis of compromise amongst the parties.

It is rightly pointed out by learned State Counsel that compromising the matter between the parties in a private complaint is a private affair, in which State or the Court is not the party. Petitioner has been declared proclaimed person as he evaded the process of Court so as to appear in the complaint case. However, as requested by counsel for the petitioner, it is directed in case he pleads guilty before the concerned

Court, the Court may consider the said plea and also may consider to sentence the petitioner by imposing reasonable fine under Section 174-A IPC considering the fact that said offence under Section 174-A IPC is punishable with imprisonment or fine or both.

Disposed of accordingly.

July 14, 2023
sarita

(DEEPAK GUPTA)
JUDGE

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