

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-9265 of 2021(O&M)
Date of Decision: 14.03.2023

Mukesh Arora & Ors.

...Petitioners

Versus

State of Haryana & Anr.

...Respondents

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Ajay Kalra, Advocate
For the petitioners.

Mr. Ishnoor Singh, Advocate for
Mr. Vikram Singh, Advocate
For respondent No.2.

Mr. Naveen Sheoran, DAG Haryana.

KARAMJIT SINGH, J.

The present petition has been filed by the petitioners under Sections 482/ 483 Cr.P.C. seeking quashing of FIR No.96 dated 22.02.2021, registered under Section 174-A IPC at Police Station Panipat City, Panipat.

The brief facts of the case are that respondent No.2 Vinod Kumar Gupta filed criminal complaint No. 1039 of 2015, under Section 138 of the Act against the petitioners wherein the summoning order was passed but as the petitioners failed to appear in the trial Court, proceedings under Section 82 Cr.P.C. were initiated and finally the petitioners were declared as proclaimed persons vide order dated 29.11.2016 and thereafter the learned trial Court gave directions to the SHO concerned to register FIR under

Section 174-A IPC against the petitioners. Resultantly, the impugned FIR was registered against the petitioners.

Being aggrieved, the petitioners have filed the present petition.

By virtue of order of even date passed in CRM-M-3890 of 2020, order dated 29.11.2016 passed in criminal complaint No. 1039 of 2015, has been quashed being not in consonance with provisions of Section 82 Cr.P.C., the impugned FIR registered on the basis of aforesaid order dated 29.11.2016, is also quashed.

Consequently, the present petition is allowed.

14.03.2023
Jiten

(KARAMJIT SINGH)
JUDGE

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