

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-10357-2022 (O&M)
Reserved on: 11.04.2023
Pronounced on: 18.04.2023

Tajinder Singh
... Petitioner(s)

Versus

State of Haryana & another
...Respondent (s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Hardeep Singh Dhillon, Advocate
for the petitioner(s).

Mr. Manish Bansal, DAG, Haryana.

ANOOP CHITKARA, J.

Criminal Complaint	No. NACT-332-2018 under Section 138 of the Negotiable Instruments Act, Pehowa District Kurukshetra.
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AND

FIR No.	Dated	Police Station	Sections
60	7.2.2022	Pehowa, District Kurukshetra	174A IPC

Seeking quashing of aforesaid FIR as well as proclamation order dated 26-03-2019, passed by the Ld. JMIC, Pehowa, Haryana, the accused has come up before this court under Section 482 CrPC.

2. After dishonour of cheque handed over by the second respondent to the petitioner, the second respondent had filed a complaint against the petitioner under section 138 of Negotiable Instruments Act, 1881.
3. The accused could not be served through the ordinary process, including summons, bailable warrants, and even non-bailable warrants. The concerned court finally proceeded against the petitioner under section 82 of CrPC and declared the petitioner a proclaimed offender vide aforesaid order.

4. After issuance of proclamation, the matter got settled between the parties. The factum of compromise was recorded by Ld. Trial Court in its order dated 02-03-2022. Vide order dated March 02, 2022, the complaint was dismissed as withdrawn and the order of proclamation was recalled.

5. In paragraph 3 of the petition, the petitioner explains that due to a misunderstanding, he could not appear. In the case's factual background, I am satisfied with the explanation offered. The primary matter stands dismissed as withdrawn; there is no justification for continuing the ancillary proceedings under section 174-A IPC. Consequently, in the facts and circumstances peculiar to this case, the petition is allowed, the above captioned impugned order Annexure P-2 and the FIR, Annexure P-1, are quashed. The bail bonds of the petitioner are accordingly discharged. All pending warrants stand canceled, and further proceedings quashed.

Petition allowed. All pending applications, if any, stand closed.

(ANOOP CHITKARA)
JUDGE

April 18, 2023
AK

Whether speaking/reasoned	:	Yes
Whether reportable	:	No