

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

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CRM-M-11098-2023 (O&M)

Date of decision: 11.09.2023

KANTI DEVI AND ANOTHER**...Petitioners****VERSUS****STATE OF HARYANA AND ANOTHER****...Respondents****CORAM : HON'BLE MS. JUSTICE NIDHI GUPTA**

Present: Mr. Shantanu Bansal, Advocate
for the petitioners.

Ms. Deepshikha Chauhan, AAG, Haryana.

NIDHI GUPTA, J.(ORAL)

The petitioners have filed the present petition under Section 482 Cr.P.C., for quashing of FIR No.520 dated 08.10.2022 under Section 174-A of IPC, registered at Police Station Baldev Nagar, District Ambala (Annexure P-1) and all the consequential proceedings arising therefrom.

Learned counsel for the petitioners submits that petitioners were declared proclaimed persons in complaint bearing No.125 of 2017 filed by respondent No.2/complainant under Sections 498-A, 406, 323, 506, 354, 427, 415, 419 and 420 of IPC, registered at Police Station Baldev Nagar, Ambala. Learned counsel further submits that thereafter, the aforesaid complaint stands withdrawn by the complainant on 16.09.2022; and even the order dated 12.09.2022, whereby the petitioners were declared proclaimed persons has also been set aside by a co-ordinate Bench of this Court vide order dated 22.12.2022 passed in CRM-M-57560-2022 titled as

“*Kanti Devi Vs. State of Haryana and another*” (Annexure P-4). Thus, it is prayed that the present FIR may also be ordered to be quashed.

Reply dated 07.04.2023 by way of affidavit of Ramesh Kumar, HPS, Deputy Superintendent of Police (Headquarter), Ambala, District Ambala has already been filed on behalf of the respondent No.1-State. The same is taken on record.

Learned State counsel submits that there were 03 accused in the present FIR out of which Jang Bahadur-accused No.3 has expired during the pendency of the present petition.

In view of the above and keeping in view the facts and circumstances of the case, this petition is allowed and FIR No.520 dated 08.10.2022 under Section 174-A of IPC, registered at Police Station Baldev Nagar, District Ambala (Annexure P-1) along with all other consequential proceedings arising therefrom, are ordered to be quashed qua the petitioners.

September 11, 2023

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Whether reasoned/speaking?

Whether reportable?

Yes/No

Yes/No

(NIDHI GUPTA)

JUDGE