

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

118

CRM-M-18641-2023
Decided on: 18.04.2023

Parvesh Chowdhary

.....Petitioner

Vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Manohar Lall, Advocate for the petitioner.

Mr. H.S. Sitta, DAG, Punjab.

ANOOP CHITKARA J.

FIR No.	Dated	Police Station	Sections
0266	17.11.2022	City Rajpura, District Patiala (Punjab)	174-A IPC

Seeking quashing of aforesaid FIR on the ground of withdrawal of the complaint by the complainant vide order dated 12.11.2022 passed by the National Lok Adalat, 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. Consequently, the instant FIR was registered against the petitioner.
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 28.10.2022. Vide order dated 12.11.2022 the complaint was dismissed as withdrawn.

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5. The primary matter stands dismissed as withdrawn; there is no justification for continuing the ancillary proceedings under section 174-A IPC.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, and subject to the compliance of the following direction, the petition is allowed, the above captioned FIR and all consequential proceedings arising out of the same, stands quashed. All pending warrants/LOC issued against the petitioner, stand cancelled.

6. Any observation made hereinabove is neither an expression of opinion on the merits of the case nor shall the trial Court advert to these comments.

7. *There would be no need for a certified copy of this order, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. In case the attesting officer wants to verify the authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.*

Petition allowed in the terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

18.04.2023
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Whether speaking/reasoned: Yes
Whether reportable: No.