

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

204-CRM-M-15998-2021

Date of Decision: 07.02.2023

Arti Solanki

... Petitioner

VS.

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE SANDEEP MOUDGIL

Present: Mr. Mehak Sawhney, Advocate for the petitioner

Mr. Ashok Kumar Sehrawat, DAG Haryana

Sandeep Moudgil, J. (Oral)

Prayer made in this petition filed under Section 482 CrPC is for quashing of the FIR No.0205 dated 15.02.2019 (Annexure P6) under Section 174-A IPC registered at Police Station Shivaji Nagar, District Gurugram, in pursuance to proclamation order dated 20.08.2018 (Annexure P4) passed in criminal complaint No.234 of 2017 titled as "India Bulls Housing Pvt. Ltd. vs. Arti Solanki", under Section 25 of the Payment and Settlement Systems Act, 2007, along with consequential proceedings thereof.

Learned counsel for the petitioner submits that the case is covered by the judgment passed by a Coordinate Bench in **CRM-M-52319-2021 (Shravan Kumar Singh @ Sarvan Singh vs. State of Haryana)** decided on 15.12.2021 vide which a Coordinate Bench of this Court held that where the main case was dismissed for want of prosecution, the continuation of proceedings under Section 174-A IPC shall be an abuse of process of court.

Learned State counsel also does not controvert the above-said fact.

Learned counsel for the parties are *ad idem* that the impugned FIR as well as the Proclamation Order (Annexure P4) passed in criminal complaint No.234 of 2017, referred to above, are liable to be quashed in view of the judgment passed by a Coordinate Bench in **Shravan Kumar Singh @ Sarvan Singh** case (supra).

Accordingly, in view of **Shravan Kumar Singh @ Sarvan Singh's** case (supra), the present petition is allowed and the FIR (Annexure P6) as well as the Proclamation Order (Annexure P4) passed in Criminal Complaint No.234 of 2017, referred to above, against the petitioner is quashed.

07.02.2023
V.Vishal

(Sandeep Moudgil)
Judge

- 1. Whether speaking/reasoned?
- 2. Whether reportable?

Yes/No
Yes/No