

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

CRM-M-15635 of 2023

Date of Decision: April 10, 2023

Ankit Pundir

...Petitioner

Versus

State of Haryana and another...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Rahul Singla, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

In a criminal complaint bearing NACT/776/2018 titled Rajpal Vs. Ankit Pundir, filed under Section 138 of Negotiable Instruments Act (Annexure P.2), petitioner was declared proclaimed person vide order dated 24.08.2022 by learned Judicial Magistrate Ist Class, Panchkula (Annexure P.3). Consequent to the order passed by the Court, FIR No.390 dated 03.09.2022 under Section 174-A IPC was registered against the petitioner at Police Station Sector 7, Panchkula.

Prayer in this petition is to quash the said FIR under Section 174-A IPC on the ground that the main complaint in which petitioner was declared proclaimed person has since been dismissed as withdrawn on the basis of compromise amongst the parties.

Notice of motion.

Shri Randhir Singh, learned Additional Advocate General, Haryana, accepts notice on behalf of the respondent- State. Mr. Manish Deswal, Advocate accepts notice on behalf of respondent No.2.

It is rightly pointed out by learned State Counsel that compromising the matter between the parties in a private complaint is a

private affair in which State or the Court is not the party. Petitioner has been declared proclaimed person as he evaded the process of Court so as to appear in the complaint case. However, as requested by counsel for the petitioner, it is directed in case he pleads guilty before the concerned Court, the Court may consider the said plea and also may consider to sentence the petitioner by imposing reasonable fine under Section 174-A IPC considering the fact that said offence under Section 174-A IPC is punishable with imprisonment or fine or both.

Disposed of accordingly.

April 10, 2023

renu

(DEEPAK GUPTA)
JUDGE

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