

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

208

2023:PHHC:090723

CRM-M-20615-2022

Date of decision: July 19th, 2023

Aarti Kohli

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Jasvir Singh Dhaliwal, Advocate
for the petitioner.

Mr. Rahul Mohan, Senior Deputy Advocate General,
Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.249 dated 28.02.2019 under Section 174-A of the IPC registered at Police Station City Jagadhri City, District Yamuna Nagar and all consequential proceedings arising therefrom.

2. Learned counsel for the petitioner submits that the petitioner was came to be declared a proclaimed person while facing trial in a complaint under Section 138 of the Negotiable Instruments Act. Thereafter, FIR No.249 dated 28.02.2019 under Section 174-A IPC was registered at Police Station Jagadhri City. Learned counsel submits that it is a matter of record that in the complaint in question, the petitioner had been acquitted by the learned Revisional Court, Yamuna Nagar, vide order dated 22.10.2019 and the said order had attained finality. A prayer, therefore, has been made that in the aforementioned facts and circumstances, no purpose would be served by prosecuting the petitioner under Section 174-A IPC. In support of his submissions, learned counsel

has placed reliance upon the judgment of this Court in ***Sher Singh vs. State of Haryana (CRM-M-11846-2023) decided on 09.03.2023*** wherein in identical facts and circumstances, the FIR registered under Section 174-A of the IPC against the petitioner was quashed.

3. Learned State counsel, on instructions from HC Amit Kumar, has not disputed the submissions made by the counsel opposite qua the petitioner having earned an acquittal by the Court below in the complaint in question.

4. Heard learned counsel for the parties and perused the relevant material on record.

5. The petitioner was declared a proclaimed person in a complaint case under Section 138 of the Negotiable Instruments Act. Admittedly, the order of the learned Revisional Court, whereby the petitioner was acquitted has attained finality, as also not disputed by the learned State counsel. Hence, continuation of criminal proceedings in FIR No.249 dated 28.02.2019 registered at Police Station City Jagadhri City, District Yamuna Nagar, for offence under Section 174-A of the IPC would serve no useful purpose.

6. Accordingly, the present petition is allowed and FIR No.249 dated 28.02.2019 registered under Section 174-A IPC at Police Station City Jagadhri City, District Yamuna Nagar along with all consequential proceedings arising therefrom are quashed.

July 19th, 2023

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**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No