

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

Sr. No.113

CRM-M-26968-2023

Date of Decision : May 26, 2023

Yagya Dutt Vyas

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Daljeet Singh Virk, Advocate, for the petitioner.

SUDHIR MITTAL, J. (ORAL)

It has been submitted that FIR No.379 dated 28.04.2023 was registered at Police Station Civil Line Sirsa, District Sirsa, under Section 174-A IPC because the petitioner was declared as proclaimed person in a complaint filed under Section 138 of Negotiable Instruments Act, 1881. Said complaint has since been withdrawn as the cheque amount stood paid and thus, the order declaring the petitioner as proclaimed person has ceased to exist. Under the circumstances, continuation with the FIR aforementioned would be harsh.

2. Notice of motion.

3. Mr. Himmat Singh, Additional Advocate General, Haryana accepts notice on behalf of respondent No.1 and waives service.

4. Mr. A.S. Gill, Advocate puts in appearance on behalf of respondent No.2 and waives service. He submits that he has no objection in case the FIR is quashed.

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5. Since the complaint under Section 138 of Negotiable Instruments Act, 1881 has been withdrawn, the order declaring the petitioner as proclaimed person has ceased to exist. Thus, continuation with the FIR would be harsh and oppressive. The purpose of registration of the FIR has already been served.

6. The petition is accordingly allowed and FIR No.379 dated 28.04.2023 registered at Police Station Civil Line Sirsa, District Sirsa, under Section 174-A IPC along with all consequential proceedings having arisen therefrom, is quashed qua the petitioner.

May 26, 2023
Ankur

(SUDHIR MITTAL)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No