

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

115-2

CRM-M-32291-2023

Date of decision: 07.07.2023

Sandeep Sajjan and others

.....Petitioners

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Jagdeep Singh Rana, Advocate for the petitioners.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.2464 dated 24.12.2022 (Annexure P-2) under Section 174-A IPC registered at Police Station Shivaji Nagar, Gurugram, and all consequential proceedings arising therefrom.

2. Learned counsel for the petitioner, at the outset, submits that the the complaint under Section 138 of the Negotiable Instruments Act, 1881 (for short, 'the NI Act') stands dismissed as withdrawn vide order dated 08.05.2023 (Annexure P-3) on account of the parties having arrived at an amicable settlement and the complainant having received an amount of ₹60,000/-. A prayer, therefore, has been made that in the aforementioned facts and circumstances, no purpose would be served by prosecuting the petitioners 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. Notice of motion.

4. On asking of the Court, Ms. Trishanjali Sharma, DAG, Haryana accepts notice of the petition.

5. Learned State counsel has opposed the prayer made by the counsel opposite and contended that it was evident that the petitioners had intentionally not appeared during the proceedings before the Court below and hence, the prayer of the petitioners deserved to be declined.

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

7. The petitioners were declared proclaimed offenders in a complaint case under Section 138 of the NI Act. Admittedly, the said complaint was withdrawn after the parties arrived at a compromise. Hence, continuation of criminal proceedings for offence under Section 174-A IPC would serve no useful purpose.

8. Accordingly, the present petition is allowed and FIR registered under Section 174-A IPC and all consequential proceedings arising therefrom are quashed.

07.07.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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