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

CRM-M No. 34644 of 2022
Decided on: 06.02.2023

Harjot Singh .....Petitioner

Vs.

State of Punjab and another .....Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Manoj R. Sharma, Advocate
for the petitioner.

Mr. Aditya Kapoor, AAG, Punjab.

Mr. Paramjit Deol, Advocate
for respondent No.2.

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ANOOP CHITKARA J.

FIR No.	Dated	Police Station	Sections
41	06.03.2020	City Gurdaspur, District Gurdaspur	174-A IPC, 1860

Seeking quashing of aforesaid FIR, the petitioner has come up before this court under Section 482 CrPC.

2. After dishonour of cheque handed over by the petitioner to the second respondent, the second respondent had filed a complaint against the petitioner under section 138 of Negotiable Instruments Act, 1881.

3. The accused/petitioner could not be served through the ordinary process, including summons, bailable warrants, and even non-bailable warrants. The concerned court finally proceeded against the petitioner under section 82 of CrPC and declared the petitioner a proclaimed offender vide order dated 16.12.2019.

4. After issuance of proclamation, the matter got settled between the parties. The factum of compromise was recorded by Ld. Trial Court in its order dated 15.10.2020 and on the statement of complainant, the said complaint was dismissed as withdrawn.

POOJA SHARMA
2023.02.09 14:15
I attest to the accuracy and
integrity of this order/judgment

5. In paragraph-3 of the petition, the petitioner explains that petitioner was not traceable and he was declared proclaimed offender. As per averments made in Para No.4 and 5 of the petition, petitioner makes out a case for quashing of FIR and explanation offered by petitioner is a reasonable. In the case's factual background, I am satisfied with the explanation offered. The primary matter stands dismissed as withdrawn; there is no justification for continuing the ancillary proceedings under section 174-A IPC. Consequently, in the facts and circumstances peculiar to this case, the petition is allowed, the FIR mentioned above, Annexure P1, stands quashed qua the petitioner. Bail bonds if any furnished by petitioner stands discharged.

Petition allowed. All pending applications, if any, stand closed.

(ANOOP CHITKARA)
JUDGE

06.02.2022
ps-I

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

POOJA SHARMA
2023.02.09 14:15
I attest to the accuracy and
integrity of this order/judgment