

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-36763-2020 (O&M)
Reserved on: 26.04.2023
Pronounced on: 17.05.2023

Balwant Singh

... Petitioner(s)

Versus

State of Haryana & another

...Respondent (s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Shashi Kumar Yadav, Advocate
for the petitioner(s).

Mr. Manish Bansal, DAG, Haryana.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
572	30.10.2018	City Narnaul	174A

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

2. After dishonour of cheque handed over by the petitioner to respondent no.2, the said respondent 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 in the said complaint under Section 138 of the Negotiable Instruments Act, 1881. The concerned court finally proceeded against the petitioner under section 82 of CrPC and declared the petitioner a proclaimed offender vide order dated 26.7.2018.
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 9.3.2020. Vide said order, the complaint was dismissed as withdrawn.
5. In paragraph 3 of the petition, the petitioner explains about the ignorance of the criminal proceedings. 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 The primary matter stands dismissed as withdrawn; there is no justification for continuing the ancillary proceedings under section 174-A IPC.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 and the FIR mentioned above, Annexure P-2 stood quashed *qua* the petitioner. Bail bonds, if any, furnished, shall stand discharged.

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

(ANOOP CHITKARA)
JUDGE

May 17, 2023
AK

Whether speaking/reasoned	:	Yes
Whether reportable	:	No