

121 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-44250-2023  
Decided on : 05.09.2023

Anil Kumar Kandhol

..... Petitioner

Versus

State of Haryana and another

..... Respondents

**CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present : Mr. Deep Singh Saini, Advocate  
for the petitioner.

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**Manjari Nehru Kaul, J.(Oral)**

The instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.232 dated 25.06.2019 (Annexure P-3) under Section 174-A IPC registered at Police Station Matlauda District Panipat and all consequential proceedings arising therefrom.

2. Learned counsel for the petitioner, at the outset, has drawn the attention of this Court to order dated 28.09.2021 (Annexure P-6) wherein it stands reflected that the complaint under Section 138 of the Negotiable Instruments Act, 1881 (for short, 'the NI Act') stands withdrawn by the complainant. 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, more so, when he was not involved in any other criminal case much less under Section 138 of the NI Act nor had he been declared a proclaimed offender prior thereto in any other case. 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.***

- 3. Notice of motion.
- 4. On asking of the Court, Ms. Trishanjli Sharma, DAG, Haryana accepts notice of the petition.
- 5. Heard learned counsel for the parties and perused the relevant material on record.
- 6. In the light of submissions made by learned counsel representing the petitioner together with the fact that complaint under Section 138 of the Act stands withdrawn, this Court deems it appropriate to quash the criminal proceedings in the instant case. Accordingly, the petition is allowed, and the FIR (Annexure P-3) and all consequential proceedings arising out of it, are quashed.

05.09.2023  
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(MANJARI NEHRU KAUL)  
JUDGE

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