IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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CRM-M-17740-2024
Date of decision: May 6th, 2024

Sukhdeep Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Ms. Kamlesh, Advocate
for Mr. Parminder Singh, Advocate
for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.410 dated 20.06.2022 under Section 174-A of the IPC registered at Police Station Civil Lines, Karnal.

2. Learned counsel for the petitioner submits that it is a matter of record that the parties have already arrived at an amicable settlement in the complaint in question leading to the withdrawal of the said complaint before learned JMIC Karnal on 29.01.2024. In support, learned has drawn the attention of this Court to (Annexure P-6), wherein the said fact stands reflected that in view of a statement made by the complainant, the complaint under Section 138 of the Negotiable Instruments Act, 1881 (for short, 'the NI Act') was dismissed as withdrawn on the basis of a compromise. 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. In support of his submissions, learned counsel has placed reliance upon the judgment of this Court in ***Sher Singh vs. State of***

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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, Deputy Advocate General, Haryana, accepts notice on behalf of the respondent.

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

6. I have heard learned counsel for the parties and perused the relevant material on record.

7. The petitioner was declared a proclaimed offender 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 Admittedly, the said complaint was withdrawn after the parties arrived at a compromise.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 of the IPC would serve no useful purpose.

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

May 6th, 2024 **(MANJARI NEHRU KAUL)**
Puneet **JUDGE**

Whether speaking/reasoned : Yes
Whether reportable : No

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