

CRM-M-17868-2024

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

289

CRM-M-17868-2024
Decided on: 13.05.2024

Kulwant Singh ...Petitioner

Versus

State of Punjab and another ...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr .Davinder Singh Saini, Advocate
for the petitioner(s).

Mr. M.S. Bajwa, DAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
74	30.03.2020	City Rajpura, District Patiala	174-A IPC

Seeking quashing of aforesaid FIR and proclamation order dated 28.02.2023, passed by the Sub Divisional Judicial Magistrate, Rajpura (Annexure P-9) the accused has come up before this court under Section 482 CrPC.

2. After dishonour of cheque handed over by the petitioner to second respondent, the second respondent had filed a complaint against the petitioner under section 138/142 of Negotiable Instruments Act, 1881.
3. The accused 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 aforesaid order.



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4. After issuance of proclamation, the matter got settled between the parties. Complaint stands dismissed as withdrawn vide order dated 11.02.2023 passed by the Sub Divisional Judicial Magistrate, Rajpura.

5. The primary matter stands dismissed as withdrawn; there is no justification for continuing the ancillary proceedings under Section 174-A IPC.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. Above captioned FIR and all other consequential proceedings and proclamation order dated 28.02.2023, stand quashed qua the petitioner. Bail bonds and surety bonds, if any, stands discharged. All pending applications, if any, stand closed.

(ANOOP CHITKARA)
JUDGE

13.05.2024
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Whether speaking/reasoned: Yes
Whether reportable: No.